

EXHIBIT A

(Pitt County 23-CVS-3283)

STATE OF NORTH CAROLINA

PITT

County

File No.

23 CVS 32 83

In The General Court Of Justice
 District Superior Court Division

Name Of Plaintiff

Larry F. Murphy

Address

PO Box 801

City, State, Zip

Hyden, NC 28573

VERSUS

Name Of Defendant(s)

Human Food Service & Facilities Management, East Carolina University et al.

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Hillary Gallagher
28884 College Hill Drive
Greenville, NC 27858

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

Name And Address Of Defendant 2

Shenithia Dupree
28884 College Hill Drive
Greenville, NC 27858

IMPORTANT! You have been sued! These papers are legal documents, DO NOT throw these papers out! You have to respond within 30 days. You may want to talk with a lawyer about your case as soon as possible, and, if needed, speak with someone who reads English and can translate these papers!

¡IMPORTANTE! ¡Se ha entablado un proceso civil en su contra! Estos papeles son documentos legales.

¡NO TIRE estos papeles!

Tiene que contestar a más tardar en 30 días. ¡Puede querer consultar con un abogado lo antes posible acerca de su caso y, de ser necesario, hablar con alguien que lea inglés y que pueda traducir estos documentos!

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Date Issued 10/31/2023 Time 3:23 AM PMSignature Patricia W. Lark Deputy CSC Assistant CSC Clerk Of Superior Court ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement _____ Time _____ AM PM

Signature _____

 Deputy CSC Assistant CSC Clerk Of Superior Court

NOTE TO PARTIES: Many counties have MANDATORY ARBITRATION programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)

STATE OF NORTH CAROLINA

PITT

County

File No.

23 CV 3283

In The General Court Of Justice
 District Superior Court Division

Name Of Plaintiff

Larry F. Murphy

Address

PO Box 801

City, State, Zip

Hyden, NC 28513

VERSUS

Name Of Defendant(s)

Hospital Food Services & Facilities Management, East Carolina University et al.

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Kelvin Tyrrell Wiggins
28884 College Hill Drive
Greenville, NC 27858

Name And Address Of Defendant 2

Thomas Redward Davis
2884 College Hill Drive
Greenville, NC 27858

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A Civil Action Has Been Commenced Against You!

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2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Date Issued	Time
<u>10/31/2023</u>	<u>3:23</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
Signature	
<u>Patricia W. Lusk</u>	
<input type="checkbox"/> Deputy CSC	<input checked="" type="checkbox"/> Assistant CSC
<input type="checkbox"/> Clerk Of Superior Court	

 ENDORSEMENT (ASSESS FEE)

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<input type="checkbox"/> AM <input type="checkbox"/> PM	
Signature	
<u>Patricia W. Lusk</u>	
<input type="checkbox"/> Deputy CSC	<input type="checkbox"/> Assistant CSC
<input type="checkbox"/> Clerk Of Superior Court	

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(Over)

23CVS 3283



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Raleigh Area Office
434 Fayetteville Street, Suite 700
Raleigh, NC 27601
(984) 275-4800
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

PITT CO., C.S.C.
BY *[Signature]*
2023 OCT 31 P 4:57

FILED

To: Mr. Larry F. Murphy
PO Box 8901
Ayden, NC 28513
Charge No: 433-2023-02757

EEOC Representative and email: MARIE MYATT
Investigator
marie.myatt@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice**. Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 433-2023-02757.

On behalf of the Commission,

Johnnie M.
Barrett. Area
Director

Digitally signed by Johnnie
M. Barrett. Area Director
Date: 2023.08.01 15:34:02
-04'00'

Johnnie Barrett
Area Director

STATE OF NORTH CAROLINA
PITT COUNTY

**IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION**

3283
2023 OCT 31 P 4:57
PITT CO., C.S.
BY *[Signature]*
COMPLAINT
[Jury Trial Demanded]

[Jury Trial Demanded)

ASHLEY HALL, in official her
capacity,)
Co-Defendant)

DUSTIN MARTY, in his official
capacity, Co-Defendant)

CODY SHORT, in his official
capacity, Co-Defendant)

LAUREN ARNOLD, in her official
her capacity, Co-Defendant)

KRISTEN ANDERSON, in her
Official capacity, Co-Defendant)

BRITTNEY SCURRY, in her official
capacity, Co-Defendant)

Plaintiff Larry F. Murphy commences this action against Defendant Aramark Food Service and Facilities Management, and Co-Defendants Kelvin Tarukwasha, Thomas Bedwardii, Tara Perez, Hillary Gallagher, Shenitha Dupree, Darryl Hines, Dusty Marty, Cody Short, Lauren Arnold, Kristen Anderson, and Brittney Scurry in their official capacities individually and collectively.

PARTIES

1. Plaintiff Larry F. Murphy is natural persons domiciled within the State of North Carolina residing in Pitt County at 4342 A Magellan Court, Ayden, N.C.
 2. Defendant Aramark is an American food service, facilities, and uniform services provider to clients in areas including education, prisons, healthcare, business, and leisure. It operates in North America (United States and Canada) and

an additional twenty (20) countries, including the United Kingdom, Germany, Philippines, South Korea, Chile, the Republic of Ireland and Spain.

3. Defendant Aramark Headquarters is located at the Aramark Tower in Center City, Philadelphia, Pennsylvania at Aramark Tower, 1101 Market Street, Center City, Philadelphia, PA 19107, and has sixty-seven (67) office and retail locations throughout the United States.

4. Defendant Aramark Headquarters Human Resources leads human resources functions across Aramark's global operations, and is responsible for talent acquisition, employee relations, compensation, benefits, labor relations, Board matters, and other issues that affect the company's 270,000 employees.

5. Defendant Aramark Headquarters Human Resources manages MYHR Employee Hot Line which provides Defendant employees access for reporting any possible violation of the Aramark Business Conduct Policy, or any law that an employee becomes aware either by submitting a report on the Aramark Hot Line website or calling the Aramark Hotline at 1(877-224-0411).

6. Defendant Aramark Headquarters Human Resources MYHR Employee Hot Line provides for an employee when making an Employee Report to provide as much information as possible so that Aramark can do a thorough investigation. The MYHR Employee Hot is managed by an independent service company, allowing employees to make a report anonymously if preferred.

7. Defendant Aramark Headquarters Human Resources is responsible for ensuring that investigations at the Headquarters level and their sixty-seven (67) office and retail locations throughout the United States are investigated in a timely, proper, and adequate manner, and without partiality.

8. Defendant Aramark Food Service and Facilities Management has several facilities management locations aboard East Carolina University in Pitt County in Greenville, North Carolina, including at Todd Dining Hall, 28884 College Hill Drive, and at Main Campus Student Center (MCSC), 501 East Tenth (10th) Street where Plaintiff worked and commences this action.

9. Defendant Kelvin Tarukwasha, District Director, and Defendant Thomas Bedwardii, Director of Operations are the upper management of the Defendant Aramark Food Service and Facilities Management at East Carolina University in Pitt County in Greenville, North Carolina.

10. Defendant former Food Services Director Tara Perez, and Defendant Food Services Director Hillary Gallager are the second (2nd) level management of the Defendant Aramark Food Service and Facilities Management at East Carolina University in Pitt County in Greenville, North Carolina.

11. Defendant Location Manager Shenitha Dupree is the third (3rd) level management at the Todd Dining Hall, 28884 College Hill Drive, of the Defendant Aramark Food service and Facilities Management at East Carolina University in Pitt County in Greenville, North Carolina.

12. Defendant Location Manager Brittney Scurry is the third (3rd) level management at the Defendant Main Campus Student Center (MCSC), 501 East Tenth (10th) Street Aramark Food service and Facilities Management at East Carolina University in Pitt County in Greenville, North Carolina.

13. Defendant Supervisor Darryl Hines, is a fourth level management at the Todd Dining Hall, 28884 College Hill Drive, of the Defendant Aramark Food Service and Facilities Management at East Carolina University in Pitt County in Greenville, North Carolina.

14. Defendant Ashley Hall is the Human Resources Manager at the Defendant Aramark Food Service and Facilities Management at East Carolina University in Pitt County in Greenville, North Carolina.

15. Defendant Dusty Marty is a Human Resources Manager at the Defendant Aramark Food Service and Facilities Management Headquarters at 2400 Market Street, in Philadelphia County, in Philadelphia, Pennsylvania.

16. Defendant Cody Short is a Human Resources Manager at the Defendant Aramark Food Service and Facilities Management Headquarters at 2400 Market Street, in Philadelphia County, in Philadelphia, Pennsylvania.

17. Defendants Larren Arnold and Christen Anderson are also of the HR Team at the Defendant Aramark Food Service and Facilities Management Headquarters at 2400 Market Street, in Philadelphia County, in Philadelphia, Pennsylvania.

JURISDICTION

18. This action is a civil action. Defendants are the real party in interest in this

action. This action is commenced within all applicable statutes of repose. Jurisdiction over this action is vested in this court under N.C.G.S. Chapter 95.

19. This court is the proper division for the trial of this action under N.C.G.S. Chapter 95, Department of Labor and Labor Regulations § 95-98. The amount in controversy exceeds twenty-five thousand dollars (\$25,000).

20. The North Carolina Equal Employment Opportunity Commission (EEOC), Raleigh Area Office, 434 Fayetteville Street, Raleigh, North Carolina issued Plaintiff a **Right-To-Sue Letter on September 1, 2023**, to be filed within 90 days of receipt of notice, which would be on or before November 1, 2023.

21. The North Carolina Equal Employment Practices Act (NCEEPA) prohibits employment discrimination based on race, color, national origin, religion, age, sex, or handicap. The law applies to employers who regularly employ 15 or more employees.

22. The claims hereinafter stated arose in whole or in part in Pitt County, North Carolina.

23. The Defendants are employees of Todd Dining Hall, 28884 College Hill Drive in Pitt County in Greenville, North Carolina and at Main Campus Student Center (MCSC), 501 East Tenth (10th) Street in Pitt County in Greenville, North Carolina, and of 2400 Market Street, in Philadelphia County, in Philadelphia, Pennsylvania.

VENUE

24. Pitt County is the proper county for action (N.C.G.S. Chapter 95, Department of Labor and Labor Regulations § 95-98).

FACTS

25. The Plaintiff Larry F. Murphy became an employee at Defendant Aramark Food Service on September 13, 2013, as an Office Assistant and was moved voluntarily to the 360 Food Service Location XXXXXXXXXXXX, and then to the Main Campus Student Center (MCSC) as an Office Assistant under the preview of Location Manager Mike Morgan.

26. During Plaintiff's ten (10) year tenure as the Defendant's employee,

Plaintiff has always worked a sitting position with opportunities to go to the bathroom as needed and take his lunch breaks whenever he desired.

27. Plaintiff never experienced having problems from management about taking lunch breaks and bathroom breaks until Plaintiff was involuntarily moved from his Office Worker's position on August 19, 2022, to the Todd Dining Hall as a Cashier under the preview of Co-Defendant former Food Service Director Tara Peren and Co-Defendant Location Manager Shenitha Dupree.

28. Plaintiff involuntary move from his Office Worker's position on August 19, 2022, to the Todd Dining Hall as a Cashier did not required Plaintiff to apply for accommodations, as Plaintiff's sitting was verbally agreed upon and Plaintiff was allowed to sit as he has always been seated to perform his Cashier duties.

29. Only on Plaintiff's final day of work on May 10, 2023, was sitting raised being a problem by Co-Defendant Human Resource Manager Ashley Hall in a meeting with Co-Defendant Director of Operations Thomas Bedwardii, during a conference call with MYHR Manager Dustin Marty.

30. In the May 10, 2023, meeting with conference call with Co-Defendant MYHR Manager Dustin Marty, he informed Plaintiff that Plaintiff's 101-page Discrimination Complaint and other issues submitted by Plaintiff to him via email and subsequent email had all been investigate and that there were no findings of anything that has been done wrong that Plaintiff had alleged.

31. In the May 10, 2023, meeting with conference call with MYHR Manager Dustin Marty, Co-Defendant HR Manager Ashley Hall informed Plaintiff that Plaintiff would not be need at the Todd Dining Hall for the coming Fall 2023 Semester because things had changed and that only one (1) Cashier would be needed.

32. In the May 10, 2023, meeting with conference call with MYHR Manager Dustin Marty, Co-Defendant HR Manager Ashley Hall, then asked Plaintiff what other jo Plaintiff could do, and Plaintiff replied: "Office Worker," and Co-Defendant HR Manager Ashley Hall immediately replied: "oh no, you cannot do that one." Plaintiff replied: why not, I've worked it before, and she said nothing.

33. In the May 10, 2023, meeting with conference call with MYHR Manager Dustin Marty, Co-Defendant HR Manager Ashley Hall then told Plaintiff to apply for accommodations and that we would go from there, and Plaintiff did just that on June 12, 2023.

34. On May 10, 2023, Plaintiff was not provided a lay-off letter and Plaintiff never requested and completed a Leave of Absence (LOA) application, because Plaintiff never had the need nor ever considered himself a candidate for LOA.

35. As such, at no time has Plaintiff ever requested, signed, and submitted a LOA application to Co-Defendant HR Manager Ashley Hall authorizing Defendant Aramark to place him on an official LOA.

36. Plaintiff had no adverse actions against him until May 2022, under the reviews of Co-Defendant former Food Service Manager Tara Perez and Co-Defendant Main Campus Student Center (MCSC) Location Manager Brittney Scurry, and up until then, Plaintiff's employment record was impeccable, and he was highly recognized as one (1) if not the most capable and effective Office Worker on the ECU Campus.

37. Plaintiff's Front Line Employees Assessments have always been majority "Far Exceeds Expectations."

38. Plaintiff Front Line Employees Assessments were very rarely Achieved Expectations.

39. Plaintiff Front Line Employees Assessments have never been Approached Expectations nor Far Below Expectations.

40. Plaintiff's last Front Line Employees Assessment was performed December 10, 2019, by Defendant's Main Campus Student Center (MCSC) Location Manager Brittney Scurry.

41. Plaintiff's Overall Front Line Employees Assessment of December 10, 2019 by Defendant's Main Campus Student Center (MCSC) Location Manager Brittney Scurry was a Score of 27, which was a rating of Far Exceeds Expectations.

42. Plaintiff has not received a Front-Line Employees Assessment since December 10, 2019.

43. Plaintiff's Front-Line Employees Assessments clearly showed Plaintiff as not only qualified, but highly qualified for the Office Worker's position.

44. Plaintiff's credentials, work experience, and skill set shows Plaintiff more

highly qualified than most managers and/or supervisors for whom Plaintiff worked.

45. Plaintiff continued receiving monetary raises after December 10, 2019, for his performance without receiving a Front-Line Employees Assessment to substantiate or justify reasons for the raises.

46. Plaintiff was involuntarily removed from his Office Worker's position in May 2022, to the less desirable position of Cashier at the Todd Dining Hall.

47. Plaintiff was called via telephone by Defendant's Location Manager Shenitha Dupree on August 17, 2022, to report to work on August 19, 2022, at the Todd Dining Hall as a Cashier.

48. Plaintiff reported to work in the Cashier's position at the Todd Dining Hall on August 19, 2022, as instructed by Defendant's Location Manager Shenitha Dupree.

49. Plaintiff could have never imagined the blatant defiance of policies and procedures and toxicity of a terrible work environment that Plaintiff was about to be subjected.

50. Defendant Aramark should pay special attention to Plaintiff's complaint, because Defendant Aramark's Welcome to Aramark means absolutely nothing to these deplorables seeking during things their own ways and making the work environment as unwelcomingly and stressful as possible.

51. These Aramark Co-Defendants were not happy that Plaintiff was with them and do not welcome Plaintiff to the team. These deplorables were not ensuring that Defendant Aramark was one of the best places to work, but rather one of the worst places to work.

52. These Aramark Co-Defendants ensured that Plaintiff did not find this opportunity for himself to grow professionally and personally with these deplorables and ensured that Plaintiff interactions were curtailed from making a lasting impact that signified Plaintiff's mark of success.

53. These Aramark Co-Defendants proved that Plaintiff wasn't important to them, and placed prohibitions whenever possible for Plaintiff to create Defendant Aramark's unforgettable experience and providing service to Defendant's students, faculty, clients, and customers, because these deplorable did not appreciate

Plaintiff's work efforts and made Plaintiff feel excluded, unsupported, and very discouraged.

54. These Aramark Co-Defendants did not strive to achieve a safe, diverse, and inclusive workforce for Defendant Aramark to be proud of, but rather a profoundly frustrated, tensed, and confused work environment of intimidation absent of any training and development of its employees.

55. These Aramark Co-defendants failed miserably in recognizing and rewarding Plaintiff for his contributions, but rather sought desperately to demise and destroy plaintiff at every opportunity.

56. As Plaintiff previously stated, these deplorables have no concerns about Diversity, Equity, and Inclusion, because they're self-centered narcissists who care only about themselves and all other people mean nothing to them, as Plaintiff's case will overwhelmingly prove concerning himself.

57. Plaintiff taught himself the Micro Oracle Register training with the help of ECU Business Coordinator Mary Rhodes.

58. Todd Dinning Hall's recklessness, carelessness, and failure to follow existing policy, law and procedures became profoundly clearer as Plaintiff's learning of the Micro Oracle Register system grew and Plaintiff's application of that knowledge was implemented accordingly, and the revelation was shameful.

59. Plaintiff did not receive a Front-Line Employees Assessment in 2022 from Co-Defendant Todd Dining Hall Location Manager Shenitha Dupree.

60. Plaintiff did not receive a wage increase in 2022 from Co-Defendant Todd Dining Hall Location Manager Shenitha Dupree.

61. On August 19, 2022, Plaintiff's start date at Todd Dining Hall, the Ozzi-To-Go-Box Machine was only disbursing Ozzi Coins, which Plaintiff believed being the Ozzi-To-Go-Box Machine's function when a dirty green-To-Go-Box was returned to it.

62. Co-Defendant Location Manager Shenitha Dupree's instructions to was to receive the Ozzi Coin, put it in the register, choose the appropriate To-Go-Meal, and swipe the One Card, which was the same as Defendant Senior Cashier Debbie

Daniels was doing, and appeared being the accurate way of processing To-Go-Box meals.

63. Sometime around mid-September 2022, the Ozzi-To-Go-Box Machine was repaired and started disbursing Ozzi Digital Token Credits to the One Card after a dirty green-To-Go-Box was returned to it, and Co-Defendant Location Manager Shenitha Dupree instructed Plaintiff receive to use the Ozzi Digital Token button on his register to process the appropriate To-Go-Box meal.

64. Sometime around mid-September 2022, Plaintiff also learned that Co-Defendant Senior Cashier Debbi Daniels's Ozzi Digital Token button was broken and that she was processing To-Go-Box-Meals as Co-Defendant Location Manager Shenitha Dupree instructed Plaintiff from the beginning as if she wasn't required to use the Ozzi Digital Token button on her register.

65. From time to time the Ozzi-To-Go-Box Machine would stop disbursing Ozzi Digital Token credits to One Cards and disbursed only Ozzi Coins, and Plaintiff always informed Co-Defendant District Residential Director Kelvin Kelvin Tarukwasha, and Director of Operations Thomas Bedwardii of the problem and it was fixed at some point.

66. However, what remained unfixed and appeared not being a problem to anyone was Defendant Senior Cashier Debbie Daniels's broken Ozzi Digital Token button on her register which was worked from by Co-Defendant District Residential Director Kelvin Kelvin Tarukwasha, Co-Defendant Director of Operations Thomas Bedwardii, Co-Defendant Location Manager Shenitha Dupree, Co-Defendant Supervisor Darryl Hines, other Defendant supervisors, and Defendant employees knowing nothing about the Micro Oracle Register system and processing as a daily Standard of Operations (SOP), as if nothing was wrong with what they were doing.

67. Co-Defendant Location Manager Shenitha Dupree never provided any training nor written instructions for register processing at Plaintiff's start date of August 19, 2022, and Co-Defendant District Residential Director Kelvin Kelvin Tarukwasha, Co-Defendant Director of Operations Thomas Bedwardii, former Co-Defendant Food Service Director Tara Perez and Co-Defendant Hillary Gallagher never saw it necessary that Defendant employees they placed at the registers were trained and qualified to do the job.

68. Plaintiff became frustrated and discouraged at the poor attitudes by

managerial personnel and Defendant Senior Cashier Debbie Daniels's reluctant attitude to ensure that she was doing her job in a proper and adequate manner. However, Plaintiff came to realized that management didn't care and neither did she.

69. Plaintiff never stopped asking questions about the To-Go-Box processing and raising his questions and complaints to Co-Defendant District Residential Director Kelvin Kelvin Tarukwasha, Co-Defendant Director of Operations Thomas Bedwardii, however nothing changed.

70. On Wednesday December 7, 2022, Co-Defendant Location Manager Shenitha Dupree called a meeting in her office with Plaintiff and Defendant Senior Cashier Debbie Daniels to discuss issues existing between Plaintiff and Defendant Senior Cashier Debbie Daniels.

71. On Friday December 9, 2022, Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez called a meeting in Co-Defendant Location Manager Shenitha Dupree's office with Plaintiff and had Plaintiff wait alone for a little over an hour before coming in and convening the meeting.

72. After convening the Friday December 9, 2022, meeting, Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez verbally reprimanded Plaintiff about going outside of Co-Defendant Location Manager Shenitha Dupree's leadership to inform Co-Defendant District Residential Director Kelvin Tarukwasha, and Co-Defendant Director of Operations Thomas Bedwardii of existing problems.

73. Additionally, at the Friday December 9, 2022, meeting, Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez verbally reprimanded Plaintiff about Plaintiff's alleged inability to cooperate properly with Defendant Senior Cashier Debbie Daniels and not respecting her seniority as the senior cashier.

74. After which, at the Friday December 9, 2022, meeting, Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez informed Plaintiff that all the existing problems that Plaintiff was experiencing had already been reported and in the process of being fixed, but would take some time, which required being patient.

75. Co-Defendant Food Service Director Tara Perez on Friday December 9,

2022, at the meeting that East Carolina University was a “test site” for the “To-Go-Box” processing and many things are still being worked out.

76. On Friday December 9, 2022, Co-Defendant Food Service Director Tara Perez informed Plaintiff that she would do something administratively to track what was happening with the To-Go-Box processing, and she never did.

77. On Friday December 9, 2022, Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez informed Plaintiff that as a direct result of accusing Defendant Senior Cashier Debbie Daniels of not doing her job and Plaintiff’s inability of not getting along with Defendant Senior Cashier Debbie Daniels that Plaintiff needed to be separated from Defendant Senior Cashier Debbie Daniels.

78. On Friday December 9, 2022, Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez involuntarily removed Plaintiff from his morning cashier shift from 9:00 AM to 1:00 PM to the lesser desirable position of Sanitation Worker of wiping tables and cleaning floors.

79. On Friday December 9, 2022, Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez informed Plaintiff that this adverse action was taken for Plaintiff to learn to get along with Defendant Senior Cashier Debbie Daniels.

80. On Friday December 9, 2022, Plaintiff informed Co-Defendant Location Manager Shenitha and Co-Defendant Food Service Director Tara Perez that the adverse actions of wiping tables and cleaning floors were humiliating and embarrassing and provided Defendant Senior Cashier Debbie Daniels opportunity to exalt herself and celebrate Plaintiff’s demise of wiping tables and cleaning floors.

81. Neither Co-Defendant Residential District Director Kelvin Tarukwasha, nor Co-Defendant Director of Operations Thomas Bedwardii saw fit to intervene and stop the unnecessary harassment and retaliation actions implemented against Plaintiff by Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez.

82. Unknowing to Plaintiff Co-Defendant Residential District Director Kelvin Tarukwasha and Co-Defendant Director of Operations Thomas Bedwardii were just as frustrated and irritated of Plaintiff’s questioning of To-Go-Box Instructions

as Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Tara Perez, and later Co-Defendant Food Service Director Hillary Gallagher.

83. Unknowing to Plaintiff, he had made himself an unwelcoming archenemy that management needed to rid themselves of, and for Defendant Senior Cashier Debbie Daniels, Plaintiff's very presence at work was a tormenting factor, because she despised Plaintiff with a profound passion.

84. Defendant Senior Cashier Debbie Daniels knew that Plaintiff's skill set, including his education and communicative skills were highly qualified above hers and she possessed bitter envy and self-seeking to make herself above Plaintiff, but did so to no avail; and therefore, passionately wanted Plaintiff gone from Todd Dining.

85. On December 15, 2022, Co-Defendant Location Manager Shenitha Dupree announced at a called employees' group meeting that Food Service Director Tara Perez would no longer be with the Todd Dining Hall's management staff.

86. After the Fall Semester break from December 16, 2022, to January 4, 2023, Plaintiff returned to work on January 5, 2023.

87. Defendant Senior Cashier Debbie Daniels did not return back to work on January 5, 2023, because she had caught the COVID-19 disease and had to wait until January 9, 2023, before returning.

88. As a direct result of Defendant Senior Cashier Debbie Daniels not returning to work on January 5, 2023, Plaintiff was placed back at his register to perform Cashier duties at his normal scheduled time from 9:00 AM to 5:00 PM by Co-Defendant Location Manager Shenitha Dupree.

89. Mary Rhodes rhodesm@ecu.edu, phone: (252)-328-3663 is the Business Services Coordinator for ECU Dining Services managing the meal plan office and the point-of-sale system.

90. Celia Daniels danielsce21@ecu.edu, phone: (252) (252)-328-3663 is the Director of Dining Services for ECU Dining Services providing ECU's food service program innovative (look for the robots) and offering the ECU campus a wider variety of options and services than ever before including, but not limited to, the Ozzi-To-Go-Program.

91. Mary Rhodes provided Co-Defendant former Food Service Director Tara Perez, Todd Dining Hall, former Defendant Location Manager Brian Hayworth, West End Dining Hall, Co-Defendant Shenitha Dupree, Todd Dining Hall, and Co-Defendant Thomas Bedwardii, Director of Operations the 4-Pages of Ozzi-To-Go-Program instructions on or about August 2021.

92. Plaintiff was not provided any written register instructions, including, but not limited to, the Ozzi-To-Go-Program when he began his employment at the Todd Dining Hall on August 19, 2022.

93. Co-Defendant Location Manager Shenita Dupree provided Plaintiff the Ozzi-T-Go-Program instructions on February 13, 2023, exactly 5 months and 24 days after Plaintiff began his employment on August 19, 2022, at the Todd Dining Hall.

94. The Ozzi-To-Go-Program provided by Business Services Coordinator Mary Rhodes on or about August 2021, was provide to Plaintiff by Co-Defendant Location Manager Shenitha Dupree at least 1 ½ years later to Plaintiff.

95. The “First Two Weeks of Operations” provide by Business Services Coordinator Mary Rhodes to Todd Dining Hall and West End Dining Hall was provided to Plaintiff by Co-Defendant Shenitha Dupree on January 5, 2023, at the beginning of the semester.

96. The “First Two Weeks of Operations” provide by Business Services Coordinator Mary Rhodes to Todd Dining Hall and West End Dining Hall was provided to Defendant Senior Cashier Debbie Daniels after she returned to work on January 9, 2023, from her COVID-19 absence.

97. The “First Two Weeks of Operations” provide by Business Services Coordinator Mary Rhodes to Todd Dining Hall and West End Dining Hall was for implementation from January 5, 2023, to January 18, 2023; however, the “Note to Celia” provided a service beyond January 18, 2023.

98. The Note to Celia” at the end of the “First Two Weeks of Operations” stated: “A student can provide their Banner ID at any time throughout the semester and be fed! The Cashier at Todd/West End need to know that they have to provide the Banner ID, first and last names to Mary all the time, with any occurrence.”

99. Defendant Employee Handbook: Date Published July 2022, page 19, Leave

of Absence LOA) states: “Aramark recognizes that certain circumstances may require absence from work for medical, family, or civil reasons. The two (2) primary categories of leave are: statutory leave (e.g., leave covered under the Family and Medical Leave Act, the Americans with Disabilities Act, The Pregnancy Discrimination Act, or other applicable law). Examples of unprotected leave include leave for educational pursuits or personal travel.”

100. Defendant Employee Handbook: Date Published July 2022, page 22, **Leave of Absence LOA**) states: “A “**personal Leave of Absence (LOA)**” may be available to an employee under certain circumstances. An “**employee’s job is not protected**” while on a “**personal leave of absence (LOA)**”—which means that “**Aramark cannot guarantee**”—that the “**employee will be reinstated**”—following the “**leave (LOA)**.”

101. Defendant Employee Handbook: Date Published July 2022, page 22, **Leave of Absence LOA**) states: “**Personal leaves (LOAs)**”—are **normally limited**—to a period —of 30 days, upon written application from —the employee—and with prior management approval. —Such leaves (LOAs) may be extended —for additional 30-day periods, upon management approval, up—to a maximum —of 60 days.”

102. Defendant Employee Handbook: Date Published July 2022, page 22, **Leave of Absence LOA**) states: “The **leave of absence (LOA) may be taken without pay**—or an Employee may use any accrued Vacation and/or PTO during the **leave (LOA)**. However, neither **Vacation nor PTO** may be used to extend —that **leave (LOA) beyond** —the 30-day period. —**Neither Vacation nor PTO accrues during** —a **personal leave of absence (LOA) if**—the **leave (LOA)** —is **unpaid.**”

103. Defendant Employee Handbook: Date Published July 2022, page 5, **Code of Conduct** states: “Aramark is committed to maintaining high standards in all locations in which we operate. This **code of conduct** is based on a set of fundamental core principles that serve as the foundation of how we interact with co-workers, with our client partners, and with the customers that we serve.”

104. Defendant Employee Handbook: Date Published July 2022, page 5, **Code of Conduct** states: “We share a passion for hospitality, it’s at the foundation of everything we do. Employees are expected to work together with a cooperative spirit by supporting an inclusive workplace that respects the diverse background of your co-workers. Employees are expected to be courteous and respectful to co-

workers, customers, and business partners while in the course of company business.

105. Defendant Employee Handbook: Date Published July 2022, page 5, **Code of Conduct** states: “Because we do everything with integrity, —deliver our commitments, respect diversity and appreciate differences, —and are passionate about everything we do—employees will observe —the following “standards of conduct” in addition —to those detailed in —the Aramark Employee Handbook and Location Guide:

- Recognize and respect the rights of co-workers, customers, clients, client partners, the community we serve.
- Work in a cooperative manner, foster teamwork and employee participation, and encourage the representation of different employee perspectives.
- Report to work according to the assigned schedule and fulfill job responsibilities as directed by management.
- Refrain from threatening, intimidating, or coercing, co-workers, customers, or business partners.
- Know and comply with all relevant department and client policies and procedures.

106. Defendant Employee Handbook: Date Published July 2022, page 6, **Who We Are** states: “Aramark is a dynamic organization of over 248,000 employees operating in 19 countries worldwide. Aramark is proud to create a high performing culture and a welcoming workplace that values our differences and drives motivation through inclusion.

107. Defendant Employee Handbook: Date Published July 2022, page 6, **Who We Are** states: “We are consistently recognized as an employer of choice by FORTUNE’S Most Admired Companies; a Top 50 Company for Diversity-by-Diversity Inc. Magazine, and a Best Place to Work for LGBTQ Equality by the Human Rights Campaign.

108. Defendant Employee Handbook: Date Published July 2022, page 6,

Who We Are states: “**Our Mission:**” Because we’re rooted in service, we do great things for our people, our partners, our communities, and our planet.”

109. Defendant Employee Handbook: Date Published July 2022, page 6, **Who We Are** states: “**Our Mission:**” Because we’re rooted in service, we do great things for our people, our partners, our communities, and our planet.”

110. Defendant Employee Handbook: Date Published July 2022, page 6, **Who We Are** states: “**Our Vision:**” is to be the most admired employer and trusted hospitality partner.

111. Defendant Employee Handbook: Date Published July 2022, page 6, **Who We Are** states: “**Our Values:**” —We do everything with integrity. —We deliver our commitments. —We respect diversity and appreciate differences. —We’re passionate about everything we do.

ALLEGATIONS

112. Co-Defendant former Food Service Director Tara Perez and Co-Defendant Location Manager Shenitha Dupree **failed providing as required** Micro Oracle Register system training to employees hired as Cashiers, including Plaintiff, Defendant Cashier Amber Morse, and Defendant Senior Cashier Debbie Daniels.

113. Co-Defendant Food Service Director Hillary Gallagher and Co-Defendant Location Manager Shenitha Dupree **failed providing as required**—**Micro Oracle Register system training** —to employees hired as Cashiers, including Plaintiff, Defendant Cashier Amber Morse, and Defendant Senior Cashier Debbie Daniels.

114. Co-Defendant former Food Service Director Tara Perez and Co-Defendant Location Manager Shenitha Dupree **failed providing as required**—**Ozzi -To-Go-Box Program Register system training** —to employees hired as Cashiers, including Plaintiff, Defendant Cashier Amber Morse, and Defendant Senior Cashier Debbie Daniels.

115. Co-Defendant Food Service Director Hillary Gallagher and Co-Defendant Location Manager Shenitha Dupree **failed providing as required**—**Ozzi -To-Go-Box Program Register system training** —to employees hired as

Cashiers, including Plaintiff, Defendant Cashier Amber Morse, and Defendant Senior Cashier Debbie Daniels.

116. Co-Defendant District Residential Director Kelvin Kelvin Tarukwasha, and Co-Defendant Director of Operations Thomas Bedwardii, failed ensuring as required—that **Micro Oracle Register system training**—and **Ozzi - To-Go-Box Program Register system training**—were provided — to employees hired as Cashiers, including Plaintiff, Defendant Cashier Amber Morse, and Defendant Senior Cashier Debbie Daniels.

117. Co-Defendant former Food Service Director Tara Perez —and Co-Defendant Location Manager Shenitha Dupree, —and Food Service Director Hillary Gallagher, —and Co-Defendant Location Manager Shenitha, — Co-Defendant Director of Operations Thomas Bedwardii, —and Co-Defendant District Residential Director Kelvin Kelvin Tarukwasha, all under prioritized — the essentiality —of the **Micro Oracle Register system training**— and of the **Ozzi -To-Go-Box Program Register system training**.

118. As the direct result —of the under prioritization —of the essentiality —of the **Micro Oracle Register system training**— and of the **Ozzi - To-Go-Box Program Register system training**—the **Ozzi -To-Go-Box Program** failed miserably into the abyss.

119. Co-Defendant former Food Service Director Tara Perez —and Co-Defendant Location Manager Shenitha Dupree, —and Food Service Director Hillary Gallagher, —and Co-Defendant Location Manager Shenitha, — Co-Defendant Director of Operations Thomas Bedwardii, —and Co-Defendant District Residential Director Kelvin Tarukwasha, —all tried desperately keeping — the **Ozzi -To-Go-Box Program** miserable failure hidden.

120. The overwhelming evidence —of the conspiracy— to keeping — the **Ozzi -To-Go-Box Program** miserable failure hidden—was the blatant miserable failures — of Co-Defendant former Food Service Director Tara Perez — Co-Defendant Location Manager Shenitha Dupree— Co-Defendant Food Service Director Hillary Gallagher, — Co-Defendant Director of Operations Thomas Bedwardii, —and Co-Defendant District Residential Director Kelvin Kelvin Tarukwasha, —to allow Defendant Senior Cashier Debbie Daniels's — “broken Ozzi Digital Token register button” —to remain unrepaired —for “9 months.”

121. Co-Defendant former Food Service Director Tara Perez —and Co-Defendant Location Manager Shenitha Dupree, —and Food Service Director Hillary Gallagher, —and Co-Defendant Location Manager Shenitha, —Co-Defendant Director of Operations Thomas Bedwardii, —and Co-Defendant District Residential Director Kelvin Tarukwasha, —by keeping —the **Ozzi -To-Go-Box Program miserable failure hidden**— the standard operations procedure (SOP) —for Cashiers was placing any employee —verbally taught the **One Card swiping process** — at their will —at the registers.

122. Co-Defendant former Food Service Director Tara Perez —and Co-Defendant Location Manager Shenitha Dupree, —and Food Service Director Hillary Gallagher, —and Co-Defendant Location Manager Shenitha, —Co-Defendant Director of Operations Thomas Bedwardii, —and Co-Defendant District Residential Director Kelvin Tarukwasha **conducts constituted** —a **blatant non-compliance** —with relevant department —and client policies —and procedures.

123. Co-Defendant Location Manager Shenitha Dupree's training consisted Only of a few verbal instructions of: (1) choosing the appropriate meal, whether Breakfast, Lunch, Afternoon (NP), or Dinner; (2) tabbing the Yellow Meal tab, and (3) swapping the student's or faculty member's One Card.

124. Co-Defendant Location Manager Shenitha Dupree's verbal training instructions likewise for To-Go-Box Meals of: (1) choosing the appropriate To-Go-Meal, whether Breakfast, Lunch, Afternoon (NP), or Dinner; (2) tabbing the Yellow Meal tab, and (3) swapping the student's or faculty member's One Card.

125. Co-Defendant Location Manager Shenitha Dupree's verbal training instructions for cash or credit Card payments for Meals or To-Go-Meals was: (1) choosing the appropriate Meal or To-Go-Meal, whether Breakfast, Lunch, Afternoon (NP), or Dinner; and (2) tabbing the cash or credit Card button as appropriate to process payment.

126. Defendant Senior Cashier Debbie Daniels **was not a model Cashier** because she was untrained and unknowledgeable of the Micro Oracle Register processing and the Ozzi-To-Go Program processing.

127. Defendant's Senior Cashier Debbie Daniels after being provided the

proper To-Go-Box Program instructions on February 13, 2023, could not implement appropriate and accurate processing because of the broken Ozzi Digital Token button on her register.

128. Defendant's Senior Cashier Debbie Daniels even after the after broken Ozzi Digital Token button on her register was repaired by ECU Business Coordinator Mary Rhodes on April 9, 2023, continued operating as she had always operated with the broken Ozzi Digital Token button on her register.

129. Plaintiff informed Co-Defendant Location Manager Shenitha Dupree of Defendant Senior Cashier Debbie Daniels's failure to process To-Go-Box-Meals as required and Co-Defendant Location Manager Shenitha Dupree told Plaintiff not to worry about what Senior Cashier Debbie Daniels and others assigned to her register are doing, and to just do his job.

130. As a direct result of Plaintiff raising questions and resurrecting life to the To-Go-Box processing, Plaintiff became an archenemy of Defendant Senior Cashier Debbie Daniels and all other managerial personnel involved in keeping — the Ozzi -To-Go-Box Program miserable failure hidden.

131. Co-Defendant Location Manager Shenitha Dupree's and Co-Defendant former Food Service Director Tara Perez's December 9, 2022, verbal reprimand of Plaintiff for allegedly not getting along with Defendant Senior Cashier Debbie Daniels —and removing Plaintiff of his 9:00AM -1:00 PM register duties —to wiping tables —and cleaning floors— for Plaintiff's behavior toward Defendant Senior Cashier Debbie Daniels was totally unjust — and constituted harassment —and retaliation.

132. Defendant Senior Cashier Debbie Daniels did not recognize Plaintiff's rights and failed to work in a cooperative manner with Plaintiff and failed to foster teamwork and employee participation with Plaintiff because —she did not seek —to fulfill her Cashier responsibilities —as required —by relevant department —and client policies —and procedures.

133. Defendant Senior Cashier Debbie Daniels failed complying with the FIRST TWO (2) WEEKS OF OPERATION" instructions, which covered the period of January 5, 2023, to January 18, 2023.

134. Defendant Senior Cashier Debbie Daniels failed to appropriately serve students with no One Card, —by asking for State issued ID cards and requesting Banner ID from customers, and attempt inputting Banner ID in the

register, and if the Banner ID doesn't work, **she failed** —to write down —the student's first —and last names —on log sheets provided by ECU Business Coordinator Mary Rhodes.

135. Defendant Senior Cashier Debbie Daniels **failed** to appropriately serve students with **no One Card**, —and that **did not know their Banner ID** —to record the —student's first and last names —and note: — “**did not know Banner ID**” —and **send this list to Mary Rhodes** following each meal period. This can be scanned, hand-delivered, or photo texted.

136. Plaintiff informed Co-Defendant Location Manager Shenitha Dupree of Defendant Senior Cashier Debbie Daniels's **failure** —to follow the FIRST TWO (2) WEEKS OF OPERATION” instructions, which covered the period of January 5, 2023, to January 18, 2023, —and again Co-Defendant Location Manager Shenitha Dupree —**told Plaintiff** not to worry about what Senior Cashier Debbie Daniels and others assigned to her register are doing, and to just do his job.

137. Co-Defendant Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Hillary Gallagher were **adamantly against students' usage** —of **Banner IDs in lieu** —of **One Cards to eat** —as the FIRST TWO (2) WEEKS OF OPERATION” instructions provided, —and **created their own personal verbal prohibition** —of “**no Banner ID usage**.

138. On Wednesday, January 18, 2023, Plaintiff after returning from lunch at approximately 1:15 PM, a student, Trinity Wooden, whose One Card had been inoperative when Plaintiff previously processed it and had written Trinity Woods's Banner ID, first and last names on provided Recording Sheets and allowed her entrance to Todd Dining Hall to eat had gone pass Defendant Senior Cashier Debbie Daniels.

139. On Wednesday, January 18, 2023, Plaintiff spoke with the student, Trinity Wooden and asked if she had gotten her One Card fixed, and she stated that she had not; and Defendant Senior Cashier Debbie Daniels immediately asked Trinity for her One Card and Trinity gave it to her.

140. Defendant Senior Cashier Debbie Daniels tried processing Trinity's One Card several times and Plaintiff informed Defendant Senior Cashier Debbie Daniels that Trinity's One Card was inoperative, and that Trinity's Banner ID, first and last names needed to be recorded on the provided Recording Sheets as required.

141. Defendant's Senior Cashier Debbie Daniels didn't have any required Recording Sheets at her register and Plaintiff asked the student Trinity to come to Plaintiff's register and Plaintiff processed the student Trinity as required.

142. Plaintiff informed Co-Defendant Location Manager Shenitha Dupree of Defendant Senior Cashier Debbie Daniel's **failure** —to process students appropriately according to instructions, and that Defendant Senior Cashier Debbie Daniels— **had worked for many days without** required Recording Sheets, and Co-Defendant Location Manager Shenitha Dupree **just walked away frustrated** and **disregarding** Plaintiff's complaint.

143. On Thursday January 19, 2023, after clocking in and going to Plaintiff, register, Plaintiff **found** —that **required Recording Sheets had been removed** from Plaintiff's register, and Plaintiff **immediately complained** to —Co-Defendant Director of Operations Thomas Bedwardii for the **return** —of **his required Recordation Sheets**—that were **taken** from Plaintiff's register —by Co-Defendant Location Manager Shenitha Dupree.

144. Co-Defendant Location Manager Shenitha Dupree's **removal** —of Plaintiff's **required Recordation Sheets constituted** —a premeditated, intentional, willful, purposeful, and deliberate **inference** —of Plaintiff's **compliance** —with **relevant department** —and **client policies** —and **procedures**; —and Plaintiff **requested** —of Defendant Director of Operations Thomas Bedwardii—to **have his required Recordation Sheets returned immediately**.

145. Co-Defendant Location Manager Shenitha Dupree and Defendant Cashier Senior Cashier Debbie Daniels **always created friction** with Plaintiff over instructions that they both **have failed** —to **properly interpret** —and **implement accordingly**.

146. Co-Defendant Location Manager Shenitha Dupree **again verbally reprimanded** Plaintiff —for **always finding something wrong** —with Defendant Senior Cashier Debbie Daniels' work —and **told** Plaintiff —that he **needed** —to **just do his job**—and **not worry about** —what Defendant Senior Cashier Debbie Daniels and other Cashiers are doing.

147. On Friday January 20, 2023, after Plaintiff returned from lunch at 1:17 PM —the required Recordation Sheets had been returned —to Plaintiff's register,—and Plaintiff transferred students' Banner IDs, first —and last names— that Plaintiff had recorded on another piece of paper —to the required Recording Sheets.

148. On Thursday January 26, 2023, just before clocking out and going home, Defendant Location Manager Shenitha Dupree informed Plaintiff that the “Note to Celia” on the “FIRST TWO (2) WEEKS OF OPERATION” instructions had been revoked —and Cashiers were no longer— to permit students — as previously via Banner ID, first —and last names throughout —the semester — to eat —or be fed—which was terrible for the students; and nothing in writing —was provided supporting the change.

149. Co-Defendant Supervisor Darryl Hines— who is Plaintiff's and Defendant Senior Cashier Debbie Daniels's immediate supervisor —is completely and thoroughly ignorant —of Micro Oracle Register processing, in particular the To-Go-Box Program processing —and Group processing —and therefore cannot be trusted nor relied upon —to train nor advise anyone about— proper and appropriate register processing.

150. As a direct result — of just pure ignorance, —both Co-Defendant Supervisor Darryl Hines, and Co-Defendant Location Manager Shenitha Dupree often provided misinterpretations —of the Aramark Lunch policy, —To-Go-Box Program processing instructions, — the “FIRST TWO (2) WEEKS OF OPERATION” instructions, including the “Note to Celia,” —and questions in general; —totally untrustworthy —and unreliable managerial personnel.

151. Co-Defendant Food Service Director Hillary Gallagher's addition — to the Todd Dining management staff intoxicated —the work environment even worser —with her racist white behavior practices.

152. On Friday January 27, 2023, Plaintiff was taking off at 2:00 PM after being asked by Co-Defendant Darryl Hines to come to work at 8:00 am in lieu of 9:00 AM— because Plaintiff had informed Co-Defendant Darryl Hines on Thursday January 26, 2023, he had a doctor's appointment at 2:45 PM, and would be working only 6 hours.

153. On Friday January 27, 2023, Co-Defendant Supervisor Darryl Hines

sent Defendant Supervisor Terrell Johnson to **relieve Plaintiff —for his lunch break**— and Defendant Supervisor Terrell Johnson informed Plaintiff —that Co-Defendant Supervisor Darryl Hines **told her —to tell Plaintiff —he was only entitled—a 15-minute break;** and Plaintiff stated: “that’s a violation of labor law.”

154. Co-Defendant Food Service Director, being on the job for about a week and one day **overheard Plaintiff’s response, —and arrogantly and loudly** stated: “what a violation of labor law? Plaintiff responded: “**not allowing me —to have my required 30-minute lunch break**” —and “**attempting**” —to force me —to take a “**15-minute break instead.**”

155. Co-Defendant Food Service Director Hillary Gallagher **aggressively, arrogantly, and loudly** responded: “**what time did you come to work?**” — Plaintiff responded: “**8:00 am.,**” and Co-Defendant Food Service Director Hillary Gallagher **begin counting on her fingers —and aggressively, arrogantly, and loudly** responded: “**it was a mistake**” —and “**what are you so angry about?**” — Plaintiff responded: “because Defendant Supervisor Darryl Hines knew exactly— what he was **attempting** —to do because **he has successfully done it to others.**

156. Co-Defendant Supervisor Darryl Hines **will perform anything crooked or corrupt** —to please or satisfy this corrupt and deplorable management —that had made this work environment —an unwelcomingly and unfavorable terrible workplace, —that cannot retain employees, which is a proven fact — that’s **verified** —the employees’ turnover rate.

157. On January 30, 2023, Defendant Supervisor Terrell Johnson **informed Plaintiff —that she asked Co-Defendant Supervisor Darryl Hines why he lied —to Co-Defendant Food Service Director Hillary Gallagher about telling her —to tell Plaintiff —that Plaintiff only being entitled —to a 15-minute break, —and not his required 30-minute lunch break?** — Co-Defendant Supervisor Darryl Hines just manifested a smirky smile and walked away.

158. On January 30, 2023, Defendant Supervisor Terrell Johnson **informed Plaintiff —to not trust Co-Defendant Supervisor Darryl Hines—because he’s a Judas —and will tell everything you tell him —and more —because he’s a liar —while deceiving you** to make you believe that he’s with you.

159. Co-Defendant Supervisor Darryl Hines **forced** Defendant’s Sanitation

Worker Kalevieon Edwards —to work his entire 6-hour work shift —and had him clock out —and take his 30-minute lunch break after clocking out.

160. It's also believed that Defendant's Supervisor Darryl Hines has **worked ECVC participant Dejara Williams —to work 6-hours shifts without taking her required 30-minute lunch breaks** —because of **shortages of employees —and having no one** —to relieve her, —and as well as other employees.

161. On January 30, 2023, Co-Defendant Location Manager Shenitha Dupree failed —to provide Plaintiff **advance notice** —of the arrivals of two (2) groups —and to provide Plaintiff the **HR Group's** —and the **Music Group's One Cards** —for processing them into Todd Dining —to eat.

162. On Monday January 30, 2023, at **approximately 11:30 am**, —the two (2) Groups arrived unexpectedly, —firstly the **HR Group**—and secondly the **Music Group** within **5 minutes** of each other —placing Plaintiff in a desperate need —of help from management, which was **nowhere** to be found.

163. On Monday January 30, 2023, at **approximately 11:30 am**, —Plaintiff sent the HR Group Leader to Co-Defendant Food Service Director Hillary Gallagher —and she came and asked Plaintiff **what's the problem?** Plaintiff responded the Co-Defendant Location Manager Shenitha Dupree failed —to provide Plaintiff **advance notice** —of the arrivals of two (2) groups —also failed —to provide their **One Cards** —for processing them —into Todd Dining Hall to eat.

164. On Monday January 30, 2023, at **approximately 11:35 am**, —Co-Defendant Food Service Director Hillary Gallaugher left Plaintiff's register and Plaintiff assumed she was going to get the **One Cards** for the two (2) Groups. However, she came back and **stated** to Plaintiff—that Co-Defendant Location Manager **wasn't in the building** —and that **she didn't know where** —the **One Cards** were.

165. On Monday January 30, 2023, having **familiarity** with the two (2) Groups processing **allowed** —the **Music Group** —after **counting** —and **recording** —the **total count** —to **enter** —the Todd Dining Hall —to eat —and to process —the **Group total after receipt** —of the **Music Group One Card**.

166. On Monday January 30, 2023, —**while all this discombobulation**,

confusion, or unease was occurring, —and as Plaintiff worked desperately —to resolve —the issues,—Defendant Senior Cashier Debbie Daniels was watching on —and unknowingly —to Plaintiff holding —the Music Group's One Card.

167. On Monday January 30, 2023, —while holding onto — the Music Group's One Card—when the HR Group arrived— Defendant Senior Cashier Debbie Daniels immediately approached —the HR Group —after being told — by Plaintiff —that this is —the HR Group —and asked: “are you'll the Music Group?” —The Music Group replied: “no, we're not!”

168. On Monday January 30, 2023, —Co-Defendant Senior Cashier Debbie Daniels replied —to the HR Group stating: —“oh, I'm sorry, so many things are going on around here.”

169. On Monday January 30, 2023, —while Plaintiff was processing —the HR Group's accompanying parents credit cards —from three (3) HR Group's parents totaling \$32.10, —and while processing —the third (3rd) credit transaction,—the Plaintiff's register drawer stuck, —and Plaintiff was unable —to continue his register functions.

170. On Monday January 30, 2023, —in the meantime, —Co- Defendant Food Service Director Hillary Gallagher after watching Plaintiff struggle —to open his stuck cash register drawer finally went —and got Defendant Senior Cashier Debbie Daniels —to assist in —the processing —of the HR Group's meals.

171. On Monday January 30, 2023, —in the meantime, Defendant Senior Cashier Debbie Daniels is still holding onto unknowingly —to Plaintiff —the Music Group's One Card—for no other purpose —but malicious intent —of doing harm against Plaintiff —by whatever means possible. —All Defendant Senior Cashier Debbie Daniels had to do was to let it be known —that she had possession —of a Group's One Card—that she had gotten from Co- Defendant Location Manager Shenita Dupree.

172. Co-Defendant Supervisor Darryl Hines nor Co-Defendant Food Service Director knew what to do —to assist Plaintiff —to open his struck cash register drawer. —They both just watched on —as Plaintiff entered several bogus cash transactions —in attempts —to open his struck cash register drawer—which Co-Defendant Location Manager Shenitha Dupree was made aware.

173. Co-Defendant Location Manager Shenitha Dupree **finally came** — and **opened** —the Plaintiff’s **struck cash register drawer**—and **being totally aware** —of the **bogus cash transaction attempts** —that plaintiff **implemented** — to **open his struck cash register drawer**—while **knowing** —that she had given Defendant Senior Cashier Debbie Daniels—the **Music Group’s One Card**.

174. Defendant Senior Cashier Debbie Daniels after **helping** Plaintiff **process** —the HR Group’s **meals finally revealed** —to Plaintiff that **she had possession** —of the **Music Group’s One Card**, —but **didn’t realize it** — because **she thought** —that she had —the **HR Group’s One Card**. —How asinine or extremely foolish!

115. Plaintiff **immediately informed** Defendant Food Service Director Hillary Gallagher that Defendant’s Senior Cashier Debbie Daniels **had** —the **Music Group’s One Card** —and **has had it all along during this confusion**—and has **watched everything unfolding** — and **chosen** —to remain silent. —Defendant Food Service Director Hillary Gallagher **responded** to Plaintiff: “**so we’ll get**— the **One Card from Debbie** —and **process them**; —**so what are you so upset about?**”

116. Defendant Food Service Director Hillary Gallagher’s **response**—to Plaintiff was arrogantly disrespectful and insensitive and was a **continuation** of the onslaught of **harassment and retaliation** of the day—by **not working** in a cooperative manner and **failing** fostering teamwork and participation with Plaintiff —that **complies with** —**all relevant department** —and **client policies** —and **procedures**.

117. Defendant Food Service Director Hillary Gallagher **represented** Defendant Aramark’s diversity, equity, and inclusion in the **worst** —of **manners** —and demonstrates her **inability** —to **accomplish** Defendant Aramark’s **mission, vision, and values** —because **she lacks integrity**, commitment, respect for diversity — and appreciation for difference—and is **impassionate** as a manager; and therefore, **highly disqualified** —to **hold** —the **position**.

118. Co-Defendant Food Service Director Hillary Gallagher shortly after her start at Todd Dining Hall on or about January 19, 2023, —has **made disparaging** —or **derogatory remarks** to —and **about blacks** —and **other people** —of **color** —and has **ultimately greater furthered** —the **terrible condition** —of an **already detrimental** —and **unhealthy work environment**.

119. On Monday January 30, 2023, Defendant Assistant Location Manager Tykisha Hilton came to Plaintiff's register and closed Plaintiff's register out at 4:00 PM, after Plaintiff's scheduled work shift closing at 3:30 PM.

120. Monday January 30, 2023, Defendant Assistant Location Manager Tykisha Hilton, and Co-Defendant Location Manager Shenitha Dupree, and Co-Defendant Food Service Director Hillary Gallaugher, and Co-Defendant Supervisor Darryl Hines all knew —or should have been made aware —and known —that Plaintiff had entered several invalid cash transactions —of unsuccessful attempts —open Plaintiff's unexpected stuck register drawer.

121. Nevertheless, the known attempted invalid cash transaction —by Plaintiff did not deter Co-Defendant Location Manager Shenitha Dupree —from seizing —the opportunity —to further harass and retaliate against Plaintiff —as she pulled Plaintiff's cash register drawer —for Plaintiff to perform his Cash Verification Deposit Ship count.

122. On January 30, 2023, Co-Defendant Location Manager Shenitha Dupree counted Plaintiff's cash register drawer — and immediately and aggressively verbally attacked Plaintiff —about a cash shortage —stating and asking Plaintiff: “you're \$82.00 or so short; —so where's the money?” Plaintiff found her statement and question to be extremely and pathetically stupid.

123. On January 30, 2023, Co-Defendant Location Manager Shenitha Dupree again counted Plaintiff's cash register drawer—and she informed Plaintiff —that his Cash drawer count was “\$91.40 or so” —and that was an estimate. Plaintiff replied: “we do not use estimates” —and the “amount you counted should be recorded” on —the Plaintiff's “Cash Verification Deposit Slip.”

124. On January 30, 2023, Plaintiff asked Co-Defendant Location Manager Shenitha Dupree for his cash register drawer —so that he could count it —with she and Defendant Chef Deva Pickens witnessing his cash count—and Co-Defendant Location Manager Shenitha Dupree handed Plaintiff his cash register drawer.

125. On January 30, 2023, Plaintiff completed his cash register drawer count —and informed Co-Defendant Location Manager Shenitha Dupree and Defendant Chef Deva Pickens that Plaintiff's cash register drawer count equated to \$91.73, —and asked Co-Defendant Location Manager Shenitha Dupree— to count his cash register drawer in his presence —and she replied: “I'm not required to

count your cash register drawer in your presence;” —and Plaintiff responded: “oh, yes you are” — because that’s the right thing to do.” —However, she vehemently refused —and did not count Plaintiff’s cash register drawer in his presence.

126. On January 30, 2023, Co-Defendant Location Manager Shenitha Dupree accompanied by Defendant Assistant Location Manager Tykisha Hilton instead took —Plaintiff’s cash register drawer outside —of Plaintiff’s presence —and counted Plaintiff’s cash register drawer—and concluded that Plaintiff’s cash register drawer count —of \$91.73 was in fact accurate.

127. On January 30, 2023, Plaintiff strongly believes —that Defendant Assistant Location Manager Tykisha Hilton’s presence made Defendant Assistant Location Manager Tykisha Hilton’s presence made —the difference between— an honest cash count —and a dishonest cash count.

128. On Monday January 30, 2023, Co-Defendant Location Manager Shenitha Dupree after confirming —that Plaintiff’s cash register drawer count —of \$91.73 was in fact accurate, Co-Defendant Location Manager Shenitha Dupree continued unnecessary annoying, persecuting, and harassing —of Plaintiff by asking and stating: “where is the money,” —because “you’re still \$42.80 short?”

129. On Monday January 30, 2023, Plaintiff informed Co-Defendant Location Manager Shenitha Dupree that Plaintiff had taken pictures —of invalid cash transactions —that Plaintiff had implemented in attempts —to open Plaintiff stuck cash register drawer —as evidence, —of the “invalid \$42.80 cash shortage” —and Co- Defendant Location Manager Shenitha Dupree vehemently refused accepting Plaintiff’s pictures as evidence.

130. On Monday January 30, 2023, Plaintiff recalled making— a \$9.63 cash breakfast transaction, —which reduced —the cash register tape shortage to \$32.10, —which equated to three (3) invalid \$10.70 cash register transactions —and another \$10.70 invalid cash register transaction, —that totaled exactly \$42.80, —the exact amount Co-Defendant Location Manager Shenitha Dupree insisted upon maliciously hounding —and persecuting Plaintiff about—and vehemently refused accepting Plaintiff’s pictures as evidence.

131. On Monday January 30, 2023, Co-Defendant Location Manager Shenitha Dupree’s deplorable conduct —was arrogantly disrespectful —and insensitive and was a continuation of the onslaught of harassment and retaliation of the

day—by **not working** in a cooperative manner and **failing** fostering teamwork and participation with Plaintiff—that **complies with**—**all relevant department**—and **client policies**—and **procedures**.

132. Co-Defendant Location Manager Shenitha Dupree—as Food Service Director Hillary Gallagher **represented** Defendant Aramark’s diversity, equity, and inclusion in the **worst**—of **manners**—and demonstrates her **inability**—to accomplish Defendant Aramark’s **mission, vision, and values**—because she **lacks integrity, commitment, respect for diversity**—and appreciation for difference—and is **impassionate** as a manager; and therefore, **highly disqualified**—to **hold**—the position.

133. On Monday January 30, 2023, Co-Defendant Location Manager Shenitha Dupree **forcefully**—and **passionately refused considering any explanation**—and/or **evidence from Plaintiff did**—premeditatively, willfully, intentionally, purposefully, and deliberately **proceeded**—to **write Plaintiff up**—for a **cash register shortage**—of \$42.80 knowingly was invalid—but **did it anyway!**

134. On Monday January 30, 2023, Plaintiff’s **cash register drawer count**—for Plaintiff’s **Cashier Verification Deposit Slip** resulted as following:

- Twenties (\$20): 1 @ \$20.00
- Tens (\$10) 2 @ \$20.00
- Fives (\$5) 4 @ \$20.00
- Ones (\$1) 16 @ \$16.00
- Quarters (\$.25) 40 @ \$10.00
- Dimes (\$.10) 36 @ \$ 3.60
- Nickles (\$.05) 36 @ \$ 1.80
- Pennies (\$.01) 33 @ \$.33
- **Total Cash Count** **\$91.73**
- Cash Advance: (\$50.00)
- **Total Cash Accounted** **\$41.73**
- 3 Lunch Meals @ \$10.70 (\$32.10)
- 1 Breakfast Meal @ \$9.63 (\$ 9.63)
- **Unreconciled Difference** **(\$ 0.00)**

135. On Monday January 30, 2023, the **above** cash register drawer’s cash count—**analysis shows clearly**—and **unquestionably**—that Co-Defendant Location Manager Shenitha Dupree **had no justified reason**—for writing Plaintiff up—

but implemented her write-up maliciously —to harass, retaliate against —and to made Plaintiff’s work environment —as unwelcomingly —and as miserably as possible.

136. What kind of managers do deplorable things as Co-Defendant Location Manager Shenitha Dupree —and Co-Defendant Food Service Director Hillary Gallagher? And there are others of the same deplorability.

137. On Tuesday January 31, 2023, Defendant Assistant Location Manager Tykisha Hilton asked Plaintiff: “have you processed the HR Group?” — Plaintiff replied: “Yes.” —Then she asked: “how did you do it?” Plaintiff replied: “by Group” —as “Mary Rhodes had informed me.” — Defendant Assistant Location Manager Tykisha Hilton abruptly and sharply replied: “you did it wrong.”

138. On Tuesday January 31, 2023, Defendant Assistant Location Manager Tykisha Hilton said —to input —the “HR Group individually” — and “not by Group. —They’ve changed it again! — Then Co-Defendant Location Manager Shenitha Dupree came —to Plaintiff’s register and Plaintiff informed Co-Defendant Location Manager Shenitha Dupree—of what Defendant Assistant Location Manager Tykisha Hilton had informed him about —the HR Group processing.

139. On Tuesday January 31, 2023, Co-Defendant Location Manager Shenitha Dupree adamantly, firmly, or resolutely stated: “no, you are to process” —the “HR Group individually” —and “not as a Group.” —Then she stated: “let me go” and “get Ty” — and “bring her out here” —and “explain it” —to “you in her presence.” 1

140. On Tuesday January 31, 2023, Co-Defendant Location Manager Shenitha Dupree brought Defendant Assistant Location Manager Tykisha Hilton to Plaintiff’s register —and confidentially stated: “Mary Rhodes said —to process —the “HR Group individually” —and “not by Group,” —and “I will bring up Mary Rhodes’s email” — and “show it to you.”

141. On Tuesday January 31, 2023, Co-Defendant Location Manager Shenitha Dupree—brought up Mary Rhodes’s email on her cell phone —and began reading it loudly —to Plaintiff —and Defendant Assistant Location Manager Tykisha Hilton— until she reached —the point where Plaintiff’s name— was mentioned, —and she paused frowning before continue reading.

142. On Tuesday January 31, 2023, Co-Defendant Location Manager Shenitha Dupree — after pausing —and frowning —at the point where Plaintiff's name — was mentioned continued reading —and Mary Rhodes's email read —that she had informed Plaintiff—to process —the “HR Group by Group” —and “not individually.”

143. Co-Defendant Location Manager Shenitha Dupree left —Plaintiff's register profoundly disappointed —and embarrassed — because this misinterpreted instruction is —the misinterpreted instruction —that Defendant Senior Cashier has always implemented —and the misinterpreted instruction—that she instructed Plaintiff over —the instructions Mary Rhodes had previously provided Plaintiff—and which Plaintiff had previously informed Co-Defendant Location Manager Shenitha Dupree.

144. On Tuesday January 31, 2023, Co-Defendant Location Manager sought desperately —to subject Plaintiff —to the same wishy-washy defective guidance —that she had subjected Defendant Senior Cashier Debbie Daniels —and Plaintiff avoided —that misguidance —by following ECU Business Coordinator Mary Rhodes's personal guidance.

145. On Thursday, February 2, 2023, Plaintiff's immediate supervisor, Co-Defendant Supervisor Darryl Hines came —to Plaintiff's register —and informed Plaintiff —that Co-Defendant Location Manager Shenitha Dupree wanted —to see Plaintiff in her office. —Co-Defendant Location Manager Shenitha Dupree had Defendant Chef Eric Robinson waiting with her —for Plaintiff's arrival.

146. On Thursday February 2, 2023, upon Plaintiff's arrival —to Co-Defendant's Location Manager Shenitha Dupree's office, she informed Plaintiff that she had called Plaintiff here about what happened —on January 30, 2023, with Plaintiff's cash drawer shortage. —Plaintiff immediately replied: “we all already know what happened” —and that the “cash shortage” —is obviously an “unrealistic shortage.”

147. On Thursday February 2, 2023, Co-Defendant Location Manager Shenitha Dupree issued Plaintiff— an Employment Action Disciplinary Form —for the January 30, 2023, cash count event with— a Category of Notice: Verbal Warning with a Yes: —Was the associate previously counseled on this topic? Date of prior counseling: 1/24/2023.

148. On Thursday February 2, 2023, Co-Defendant Location Manager Shenitha Dupree **wrote** in the February 2, 2023, **Employment Action Disciplinary Form** for the January 30, 2023, **cash count event**, —**Brief Summary:** On 1/30/2023, you were responsible for cash handling at Todd. **Shift 1172 came up SHORT \$43.08.** The Aramark Register and Cash Handler's Agreement for over/shortage variances state, “Any single day over/shortage variance totaling \$5 or more will automatically result in disciplinary action.”

149. On Thursday February 2, 2023, Co-Defendant Location Manager Shenitha Dupree **wrote** in the February 2, 2023, **Employment Action Disciplinary Form** for the January 30, 2023, **cash count event**, —**Action to be Taken:** “It is expected that you will follow — “The Aramark Register and Cash Handler’s Agreement” at all times. When handling cash drawers, it is expected that you will count and verify the opening bank prior to ringing up any sales and again at the close of your shift. Also, if you must leave the register during a shift, you must log out of the register.”

150. On Thursday February 2, 2023, Plaintiff **wrote** in the February 2, 2023, **Employment Action Disciplinary Form** —for the January 30, 2023, **cash count event**, —**Associate Remarks:** “See page with witness Eric Robinson’s signature, which reads as follows: “On the day of the shortage my register got stuck and would not and was incapable of opening when I attempted to process the third (3rd) cash transaction.”

151. On Thursday February 2, 2023, Plaintiff **wrote** in the February 2, 2023, **Employment Action Disciplinary Form** —for the January 30, 2023, **cash count event**, —**Associate Remarks:** “See page with witness Eric Robinson’s signature, which reads as follows: “In my attempt to open my drawer after informing the new Food Service Director Hillary Gallaugher of the problem, she took the third (3rd) \$10.70 in her hands and had Debbie to proceed processing student and faculty meal cards.”

152. On Thursday February 2, 2023, Plaintiff **wrote** in the February 2, 2023, **Employment Action Disciplinary Form** —for the January 30, 2023, **cash count event**, —**Associate Remarks:** “See page with witness Eric Robinson’s signature, which reads as follows: “In the meantime I proceeded entering various transactions, including the \$10.70 unprocessed cash transaction to complete total transactions to be accomplish and other invalid small transactions to open my register to no avail; and no one came to my register to offer assistance; so I just left it along and processed other coming in transactions as usual.

153. On Thursday February 2, 2023, Plaintiff wrote in the February 2, 2023, **Employment Action Disciplinary Form** —for the January 30, 2023, **cash count event**, —**Associate Remarks:** “I took a picture, which I have on my camera of the invalid transactions and offered to Dupree, and she refused to accept that as valid evidence of the cash shortage, but rather continued to question me about where the money was.

154. On Thursday February 2, 2023, Plaintiff **wrote** in the February 2, 2023, **Employment Action Disciplinary Form** —for the January 30, 2023, **cash count event**, —**Associate Remarks:** “I took her rejection of the pictured evidence as inappropriate and an effort of failure to help an employee of honesty and integrity to provide valid proof of what caused the overage. In fact, Dupree informed me that was not her job.”

155. On Thursday February 2, 2023, Plaintiff **wrote** in the February 2, 2023, **Employment Action Disciplinary Form** —for the January 30, 2023, **cash count event**, —**Associate Remarks:** “I expected the write-up after this unnecessary chaos that could have been totally avoided if management had performed the work required in determining the shortage, whether than continuously asking questions about where’s the money.”

156. On Thursday February 2, 2023, Plaintiff **wrote** in the February 2, 2023, **Employment Action Disciplinary Form** —for the January 30, 2023, **cash count event**, —**Associate Remarks:** “I have performed a register tape analysis that clearly explains how the shortage occurred, which management could have performed to determine the shortage and prevent this unnecessary write-up. I am requesting Dupree and Robinson witness my comments and sign accordingly as my response.”

157. Co-Defendant Location Manager Shenitha Dupree’s **February 2, 2023, Employment Action Disciplinary Form** —for the **January 30, 2023, cash count event issuance** —was **unquestionably** —and **inequivalently** —a premeditative, intentional, willful, purposeful, and deliberate **malicious attack** on —**Plaintiff’s character** —and **reputation** —to **help create** —a series —of **false adverse actions**— to ultimate officially fire Plaintiff from —the Todd Dining Hall.

158. On Friday February 3, 2023, Co-Defendant Supervisor Darryl Hines **brought Plaintiff** —an **email from** Cynthia L. Wagoner, Associate Professor, Department Chairman, **School of Music Therapy**, addressed —to Shenitha Dupree, Quiesha Miller, Hillary Gallaugher, and Thomas Bedwardii, **stating** the

following: — “These are the **groups** —that are on the **calendar** —for **this Friday** —for both Todd and West End. —Approximately 112 guests in each group. — They will be paying by checks. — **Todd Dining, Friday, 12:10 Group 1** —and **Friday, 12:45 Group 2.**”

159. On Friday February 3, 2023, the **estimated arrivals** —of **Group 1 at 12:10 PM** —and **Group 2 at 2:45 PM** provided —an approximately 35-minute time span between —the Groups’ arrival times, —and even if —the Groups had come together, —the processing —of the Groups was not a difficult process, —but rather a simple process —that only required counting each Group’s total —and entering each Group’s total count into —the register —and then tabbing —the cash/check button —and opening —the cash register drawer, —and depositing —the check, —a very easy register task —for a cashier knowing —and understanding what she —or he is doing.

160. On Friday February 3, 2023, Co-Defendant Supervisor Darryl Hines **came** —to Plaintiff’s **register at approximately 11:05 am** —and **informed** Plaintiff —that Co-Defendant Location Manager Shenitha Dupree **told him** —to tell —Plaintiff —to **give** —the February 3, 2023, **email** from Cynthia L. Wagoner, Associate Professor, Department Chairman, **School of Music Therapy** —to Defendant Senior Cashier Debbie Daniels —to handle —the **Music Groups’ processing**.

161. On Friday February 3, 2023, when Defendant Senior Cashier Debbie Daniels **returned** —to her **register about 2 minutes later**, —Plaintiff **gave her** —the **email** —as directed, —and **informed** Co-Defendant’s Supervisor Darryl Hines —that Defendant’s Senior Cashier Debbie Daniels **didn’t know how** —to perform **Group Rate processing** —because **she had not been properly** —and accurately taught —by Co-Defendant Location Manger Shenitha Dupree how to do it, —because Co-Defendant Location Manger Shenitha Dupree had provide her misguidance.

162. On Friday February 3, 2023, **neither** Defendant’s Senior Cashier Debbie Daniels—**nor** Co-Defendant Supervisor Darryl Hines—**nor** Co-Defendant Food Service Supervisor Hillary Gallaugher, **had been properly taught** —and **knew how** —to perform **Group processing** —for the **School of Music Therapy Group**.

163. On Friday February 3, 2023, **only** Co-Defendant Location Manager Shenitha Dupree —who **had been corrected** on Tuesday January 31, 2023, —from **her**

own misinterpretation —and false provision —of Group processing guidance—to Defendant Senior Cashier Debbie Daniels knew—and possibly understood how—to perform Group processing —for the School of Music Therapy Group.

164. On Friday February 3, 2023, although Co-Defendant Location Manager Shenitha Dupree had corrected knowledge —to perform Group processing —she lacked application experience —and challenged herself —and provided assistance —to Defendant's Senior Cashier Debbie Daniels—who did not know how to do it.

165. On Friday February 3, 2023, Co-Defendant Location Manager Shenitha Dupree, and Co-Defendant's Food Service Director Hillary Gallagher, and Co-Defendant Supervisor Darryl Hines, and Defendant's Senior Cashier Debbie Daniels all treated —the 2 Music Groups' processing —as some special event —that required special attention —of the entire managerial staff, —which constituted clearly —an extreme exaggeration—because none —of them knew —what they were doing except possibly —Co-Defendant Location Manager Shenitha Dupree.

166. On Friday February 3, 2023, while Co-Defendant Location Manager Shenitha Dupree— assisted Defendant Senior Cashier Debbie Daniels processing Group 1,—Plaintiff heard Group 1's total group count was 104,—and that accompanying family members were —with Group 1 paying —by credit card.

167. On Friday February 3, 2023, —the processing —of any credit card amount required clearing out —the 104 Group members total dollar (\$) amount before —the processing —of any credit card amount—to prevent —the Group members total dollar (\$) amount—from being added —to the credit card amount —and causing an over-the-limit credit card message —and credit card declined message.

167. Co-Defendant Location Manager Shenitha Dupree asked Plaintiff —to process —the credit card transactions —while Co-Defendant Location Manager Shenitha Dupree and Defendant Senior Cashier Debbie Daniels worked together —at processing Music Group 1's total count —of 104,—which should have taken only —a few seconds, —(1) entering the 104 total Group count into the register, (2) tabbing the Group Rate tab, and (3) receiving the Music Group's check, and (4) tabbing the Cash/Check tab —to complete —the payment,— which opens —the cash register drawer —for depositing cash/check. —Nothing

complicated, —but a very simple task —for Cashiers knowing —and understanding what they’re doing.

168. On Friday February 3, 2023, Defendant Senior Cashier Debbie Daniels —while attempting —to prove a point attempted processing —an accompanying adult lady —and her daughter —with Music Group 2—who provide a credit card —for payment —without first clearing out Group 2’s total dollar (\$) amount —and the attempted Credit Card total— of \$21.40 —was declined with— a credit card message— of “Over the Limit,” —because Group 2’s total count’s dollar (\$) amount —was added— to the credit card amount.

169. On Friday February 3, 2023, Defendant Senior Cashier Debbie Daniels relayed —the “Over the Limit message” — to the Credit Card holder, — who was in shocking disbelief — and asked Defendant Senior Cashier Debbie Daniels —and Co-Defendant Location Manager Shenitha Dupree “how could this have happened?” — Defendant Senior Cashier Debbie Daniels —and Co-Defendant Location Manager Shenitha Dupree informed — the Credit Card holder—that it —was a credit card —or credit card machine problem.

170. On Friday February 3, 2023, the Music Group’s leader listening —to the confusion —and possibly realizing —that Defendant Senior Cashier Debbie Daniels —and Co-Defendant Location Manager Shenitha Dupree didn’t know what they were doing —then offered— a solution —to resolve —the confusing issue, —and told Defendant Senior Cashier Debbie Daniels —and Co-Defendant Location Manager Shenitha Dupree—to charge everything together —which included —the attempted \$21.40 credit card charge —and he would write— a check for everything, — and they did, —and he wrote —the check.

171. On Friday February 3, 2023, however, Defendant Senior Cashier Debbie Daniels’s —and Co-Defendant Location Manager Shenitha Dupree’s register transactions problems weren’t over. —After Defendant Assistant Location Manager Tykisha Hilton ran —the register tape —and closed out Defendant Senior Cashier Debbie Daniels’s register way prior —to Defendant Senior Cashier Debbie Daniels’s 2:00 PM shift end —to perform her Cashier’s Verification Deposit Slip, — Defendant Senior Cashier Debbie Daniels returned —to her register twice—and each time inputting Music Group totals —and each time running register tapes, — each time closing out her own register, — which constituted —a conflict of interest —and violate Aramark policy and procedures.

172. On Friday February 3, 2023, however, Co-Defendant Location Manager Shenitha Dupree **allowed** Defendant Senior Cashier Debbie Daniels to **return**—to her register twice—and each time inputting Music Group totals—and each time running register tapes,—each time closing out her own register,—which constituted—a conflict of interest—and violate Aramark policy and procedures.

173. On Friday February 3, 2023, then Defendant Assistant Location Manager Tykisha Hilton and Defendant Senior Cashier Debbie Daniels **returned together**—to Defendant Senior Cashier Debbie Daniels’s **register**—and Defendant Assistant Location Manager Tykisha Hilton **entered some more Music Group total count number into**—Defendant Senior Cashier Debbie Daniels’s **register**—and **ran another register tape**—and **closed-out** Senior Cashier Debbie Daniels’s **register**—and **returned**—to the **Safe’s office**—for Defendant Senior Cashier Debbie Daniels—to complete her **Cashier’s Verification Deposit Slip**.

175. On Friday February 3, 2023, Co-Defendant Location Manager Shenitha Dupree—**allowed** Defendant Senior Cashier Debbie Daniels—to willfully—and deliberately violated Aramark policy—and procedures in attempts—to correct her error processing—of the Music Group’s total meals count.

176. On Monday February 6, 2023, Co-Defendant Location Manager Shenitha Dupree—Co-Defendant Food Service Director Hillary Gallagher **change**—Plaintiff’s **work schedule with malicious intent**—from a **9:00 am**—to **5:00 PM work shift**—to a **9:00 am**—to **3:30 PM work shift**.—Plaintiff’s **changed work shift cut**—Plaintiff’s **work schedule**—by “**1 ½ hours per day**,”—and by “**7 ½ hours per week**,”—and by “**15 hours biweekly**”—or “**per pay period**,”—and by “**30 hours per month**.”

177. Before Monday February 6, 2023, Co-Defendant Location Manager Shenitha Dupree—Co-Defendant Food Service Director Hillary Gallagher knew—and/or **should have perceived**—the **financial hardship**—Plaintiff’s **work shift change/cuts would cause**—and premeditatively, intentionally, willfully, purposefully, and deliberately imposed—the **work shift change/cuts**—to cause Plaintiff **financial harm**.

178. On Tuesday February 7, 2023, Co-Defendant Location Manager

Shenitha Dupree —Co-Defendant Food Service Director Hillary Gallagher furthered their disrespect —and their indignity toward Plaintiff —by intentionally —and deliberately not scheduling —a Defendant supervisor —to close out Plaintiff's register —in a timely —and proper manner—for Plaintiff— to perform his Cash Verification Deposit Slip —and to clock-out at 3:30 PM —as scheduled.

179. On Tuesday February 7, 2023, shortly after Plaintiff's 3:30 PM work shift end, —Defendant Supervisor Nykia Short came —to Plaintiff's register —and sat down on Plaintiff's register stool —as if she had prepared herself— to work from Plaintiff's register —without officially —and properly closing out —Plaintiff's cash register drawer so —that Plaintiff could perform his required Cashier's Verification Deposit Slip.

180. On Tuesday February 7, 2023, shortly after Plaintiff's 3:30 PM work shift end, —Defendant Supervisor Nykia Short, looking —at Plaintiff rather confused —or bewildered stating: "Mr. Larry, I don't have anyone —to take your place, —they haven't scheduled anyone —to come in."

181. On Tuesday February 7, 2023, Plaintiff to Defendant Supervisor Nykia Short responded: "You're not going —to work from my register under my name —and employee ID number. —You know —the rules —and I'm not going —to allow you —to violate —the rules —because management has not properly scheduled —a cashier —to take my place at— the proper time. —That's not my problem!"

182. On Tuesday February 7, 2023, then Defendant Supervisor Nykia Short responded: — "Mr. Larry, I know, —but I have no control over that." Defendant Supervisor Nykia Short then left —Plaintiff's register —and shortly returned with —a new hire employee —who knew absolutely nothing about register processing. Defendant Supervisor Nykia Short provided —the new hire employee with verbal instructions to: (1) choose the Dinner meal, (2) tab the yellow Meal button, and (3) swipe the One Card. —Defendant Supervisor Nykia Short provided no instructions on —the To-Go-Box Meal processing.

183. Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Hillary Gallagher knowingly —and willingly have unqualified employees placed —as Cashiers at —the register —because neither Co-Defendant Location Manager Shenitha Dupree —nor Co-Defendant Food

Service Director Hillary Gallagher have moral compasses functioning —as a guide —for morally appropriate behavior practices.

184. Co-Defendant Location Manager Shenitha Dupree's and Co-Defendant Food Service Director Hillary Gallagher's **internal set** —of values governing their ethical behavior —and decision-making —have proven totally unfit —and totally unqualified —for the management —of people —at any business, —and especially at Aramark —to accomplish Aramark's mission, vision —and values.

185. On Wednesday February 8, 2023, Todd Dining Hall's Fried Chicken Day —was one (1), if not —the slowest day —of student/faculty participation —in Todd Dining Hall's history. —Co-Defendant Supervisor Darryl Hines told Plaintiff: — “I've never seen it this bad before.” — unquestionably, Todd Dining Hall's decline —of student/faculty participation —is the direct result —of profoundly poor management —by Co-Defendant Location Manager Shenitha Dupree —and Co-Defendant Food Service Director Hillary Gallagher.

186. On Wednesday February 8, 2023, Todd Dining Hall's employees' shortages —were terrible, —as Todd Dining Hall did not have enough employees —to provide timely, proper, —and quality customer service, — which has become —an ongoing extreme problem since —the arrival —of Co-Defendant Food Service Director Hillary Gallagher on —or about Thursday, January 19, 2023, —as she implemented massive cuts in employees' hours— and displayed —a blatant racist white attitude.

187. Co-Defendant Food Service Director Hillary Gallagher intimidated, threatened, coerced,—and induced fear in many employees, —in especially and particularly blacks and other people —of color —which are unacceptable behavior practices prohibited —by Aramark Code of Conduct policy —and the law.

188. On Friday February 10, 2023, Plaintiff clocked-in —to work at 8:57 am, —Co-Defendant Supervisor Darryl Hines pulled —Plaintiff's cash drawer from —the Office Safe —for Plaintiff to perform Plaintiff's Cash Verification Deposit Slip —and then left —the Office.

188. On Friday February 10, 2023, Plaintiff waited —for Co-Defendant Supervisor Darryl Hines's return —to finish his job with Plaintiff, — so that Plaintiff could go —to his register and begin —Plaintiff's Cashier' register

duties.—Co-Defendant's Supervisor Darryl Hines returned —at approximately 9:18 am, —or some 21 minutes later—because of employees' shortage with —a smirky smile on his face —and stated: “Mr. Larry I forgot you!”

189. On Friday February 10, 2023, Plaintiff responded —to Co-Defendant Supervisor Darryl Hines stating: “**it's not good for you to forget me.**”—Co-Defendant Supervisor Darryl Hines asked: —“**why not?**”—Plaintiff responded: —“**because I'm your employee waiting for you,**—so that I can begin my register duties.”—Co-Defendant Supervisor Darryl Hines with —a smirky smile on his face responded: —“**everyone forgets,**”—and Plaintiff and Defendant Supervisor Darryl Hines left —the Safe’s Office —and began walking —to Plaintiff’s register —for Co-Defendant Supervisor Darryl Hines —to log in Plaintiff’s register —to insert Plaintiff’s cash register drawer— for Plaintiff —to begin his register duties.

190. On Friday February 10, 2023, Plaintiff —asked Defendant Sanitation Worker Kalvieon Edwards —to go get Co-Defendant Supervisor Darryl Hines, —because Plaintiff had a register question.—Defendant Sanitation Worker Kalvieon Edwards returned —and stated to Plaintiff he said —that “**he was serving food**” — and “**could not come.**”—Plaintiff then asked Defendant Sanitation Worker Kalvieon Edwards —to go get Defendant Senior Cashier Debbie Daniel —and Defendant Sanitation Worker Kalvieon Edwards returned —and stated— to Plaintiff she said —that “**she could not come**” — because “**she’s on her lunch break.**”

191. Plaintiff’s Cashier position requires Plaintiff —to remain at his register at all times —to provide timely, proper, and adequate customer service —to all students, faculty member, clients, clients’ partners, —and customers from his register— EXCEPT when Plaintiff— is properly relieved —by another qualified Cashier —to provide —the same required timely, proper, and adequate customer service —to all students, faculty member, clients, clients’ partners, —and customer from another register.—A qualified cashier —is always required at —a register.

192. Plaintiff does not have —the liberty —to just walk away from his register —at any time —and leave his register unattended —for bathroom breaks —and/or his lunch break without being properly relieved —by another qualified Cashier, which would constitute —an unofficial early departure— or job abandonment, —which constitutes a violation —of Aramark’s employee conduct policy.

193. On Friday February 10, 2023, then Defendant Sanitation Worker Kalvieon Edwards—asked Plaintiff—“do you want me to knock on—the door where Director Gallagher is at? — Plaintiff responded, “Yes.” —Defendant Sanitation Worker Kalvieon Edwards knocked on—the door—and Co-Defendant Food Service Director Hillary Gallagher came out aggressively—and arrogantly with—a frown on her face—and asked Plaintiff—“what?”

194. On Friday February 10, 2023, Plaintiff then stated—to Co-Defendant Food Service Director Hillary Gallagher, “I have a register—question.” —Co-Defendant Food Service Director Hillary Gallagher angrily, aggressively, arrogantly,—and immediately replied: — “I don’t know anything about—the register, get up—and go find you somebody.”

195. On Friday February 10, 2023, Plaintiff responded—to the disrespectful, inconsiderate, racist white—Co-Defendant Food Service Director Hillary Gallagher: — “I cannot get up”—and “just leave my register unattended.” —Co-Defendant Food Service Director Hillary Gallagher then stated: — “well get Klevion”—or “someone else”—to “get you help;” — “I’m not your secretary.” —Plaintiff to—Co-Defendant Food Service Director Hillary Gallagher’s asinine statement replied: — “I never implied—that you were my secretary.”

196. On Friday February 10, 2023, Plaintiff considered—Co-Defendant Food Service Director Hillary Gallagher’s words—and actions were racially motivated—and unacceptable in any employment environment.—Co-Defendant Food Service Director Hillary Gallagher’s racist white conduct—was passionately—and deliberately manifested both verbally—and physically through her condescending manifestations—of white superiority behavior—which will certainly manifest itself again—and again.

197. Plaintiff believes—that Co-Defendant Food Service Director Hillary Gallagher’s racism—and hatred are uncontrollable attributes—of her white racist nature—and that Co-Defendant Food Service Director Hillary Gallagher—

is prone —to doing it again —and again unwarily —because that's Co-Defendant Food Service Director Hillary Gallagher's natural racist white nature.

198. Co-Defendant Director Hillary Gallagher's condescending— and derogatory comments toward Plaintiff —were hurtful —and painful —to Defendant Sanitation Worker Klevion Edwards —as he tearfully stated to Plaintiff: — “she didn't have to do all of that” —and wrote the following: “That had me mad how she did Mr. Larry. —She didn't even have —to say all of that. —Why would you say that— because he needed help. —Made me mad —because you come out —of character —to disrespect an older person. —The words —that came out —of your mouth, —“you said” —to “get up” —and “get them yourself.”

199. On Friday February 10, 2023, later that day, Plaintiff saw —Co-Defendant Location Manager Shenitha Dupree —and asked her —to come —to Plaintiff's register; —and Plaintiff asked —Co-Defendant Location Manager Shenitha Dupree how —to process an Ozzi Token Coin that —Plaintiff had just received from— a student —who had returned —a green dirty-To-Go-Box —to the To-Go-Box Machine —at West End Dining Hall.

200. Prior to Friday February 10, 2023, Plaintiff had been instructed —by Co-Defendant Location Manager Shenitha Dupree —and her supervisors —to just physically receive —the Ozzi Token Coin —and put it in —the register —and process —the appropriate To-Go-Meal —and give a clean green To-Go-Box —to the student, faculty member, or customer. —Unknowingly —to Plaintiff these were —the wrong instructions.

201. On Friday February 10, 2023, Plaintiff continuous —and relentless asking of —To-Go-Box processing questions —to Co-Defendant Location Manager Shenitha Dupree kept revealing new information. —Co-Defendant Location Manager Shenitha Dupree informed Plaintiff concerning Ozzi Token Coin processing —to receive —the Ozzi Token Coin, — then tab—the Accept Token button, —then enter \$1.00—and tab—the Cash/Credit button —and the Ozzi Token Coin —is processed —and the register opens —to deposit —the Ozzi Token Coin.

202. On Friday February 10, 2023, Plaintiff, however, asked another question—to Co-Defendant Location Manager Shenitha Dupree about processing—the To-Go-Box Meal —because the Ozzi Token Coin processing alone did not include—the processing —of the To-Go-Box Meal. — Defendant Location Manager Shenitha Dupree—to Plaintiff stated: — “I need to go to the office—and retrieve Mary Rhodes’s email —and read it.”

203. On Friday February 10, 2023, Plaintiff began his wait —for Co-Defendant Location Manager Shenitha Dupree’s return —for the answer —to his question —at 1:14 PM, — and at approximately 1:45 PM —or about 30 minutes later, — Plaintiff called —and sent Defendant Supervisor Terrell Johnson —to Co-Defendant Location Manager Shenitha Dupree’s office—to ask if she would come back—to Plaintiff’s register —and provide Plaintiff —the instructions per Mary Rhodes’ email —that she had retrieved.

204. On Friday February 10, 2023, Defendant Supervisor Terrell Johnson returned —to Plaintiff’s register — at approximately 1:50 PM —and informed Plaintiff— that Co-Defendant Location Manager Shenitha Dupree stated —that she could not retrieve it —and would need —to request another copy —of Mary Rhodes’s email —and would return —and provided Plaintiff— requested information. —Plaintiff clocked out at 3:30 PM shift end,—and Co-Defendant Location Manager Shenitha Dupree had not returned.

205. On Friday February 10, 2023, Co-Defendant Location Manager Shenitha Dupree’s actions clearly demonstrated — the misguidance —and/or failed guidance —Plaintiff has been daily subjected —to make Plaintiff job more difficult —to accomplish in —a proper and accurate manner,—and to make Plaintiff’s workdays more —and more toxic,—and unwelcomingly—as possible —which clearly appears being —the primary objective —for Co-Defendant Location Manager Shenitha Dupree —and Co-Defendant Food Service Director Hillary Gallagher.

206. On Friday February 10, 2023, Co-Defendant Food Service Director Hillary Gallagher —in her uncontrollable racist white nature— at 2:37 PM came directly —to Plaintiff’s register aggressive, arrogant,—and loudly stated:

— “Larry if you have any questions —for a manager,—please don’t have anyone knock on my door,” —and walked away just as arrogantly —as she walked in.

207. On Friday February 10, 2023, Co-Defendant Food Service Director Hillary Gallagher—at approximately two (2) minutes later at 2:39 PM — Co-Defendant Food Service Director Hillary Gallagher came back—to Plaintiff’s register and stated: — “Do you have any questions about what I said?” —As she —was walking away Plaintiff stated: — “I don’t have any questions” — to “ask you at all.”

208. On Friday February 10, 2023, Plaintiff considered — Co-Defendant Food Service Director Hillary Gallagher’s actions —as attempted intimidating, cohering racist white actions —to induce fear —into Plaintiff’s consciousness —as she —has accomplished with many others—to exalt her self-perceived racist white superiority—which she miserably failed doing with Plaintiff, —and which made Co-Defendant Food Service Director Hillary Gallagher— profoundly hate Plaintiff even more.

208. On Monday February 13, 2023, after Plaintiff’s return —to work from over—the weekend—the day —of revelation —of the hidden. —To Plaintiff’s surprise this day would become —the day —that revealed —a well-hidden secret —that Todd Dining Hall management thought —was securely hidden —and to never surface again, —but it did!

209. On Monday February 13, 2023, Plaintiff after clocking in —and going—to his register —at approximately 9:10 am immediately noticed —a copy —of the “Ozzi-To-Go-Program” instructions Co-Defendant Location Manager Shenitha had placed at Plaintiff’s —and Defendant Senior Cashier Debbie Daniels’s registers. —These “Ozzi-To-Go-Program” instructions would reveal —the resurrection —of instructions purposefully hidden —and buried alive.

210. On Monday February 13, 2023, the recipients —of the Ozzi-To-Go-Program instructions —(1) Tara Perez, (2) Brian Hayworth, (3) Shenitha Dupree, and (4) Thomas Bedwardii, —would come —to reveal —the age —of the Ozzi-To-Go-Program instructions —and how long Todd Dining Hall management— had taken these instructions out—of its Standard Operating Procedures (SOP), —which was found being some 1 ½ years or so, —which Plaintiff covered earlier.

211. On Monday February 13, 2023, at approximately 11:15 am, —a black female student —with her husband and her children came —to Plaintiff's register —and gave Plaintiff her One Card —and Plaintiff processed her in —to eat. Then the black female student stated: — “my children eat free,” —and “I want a swipe —for my husband.” —As usually, no one from Todd Dining Hall management —was available —for providing assistance.

212. On Monday February 13, 2023, Plaintiff attempted —a guest meal swipe —for her husband —and the guest meal swipe failed —because she didn't have any available. —The Black female student One Card holder —to Plaintiff then stated: — “just swipe it again.” —Plaintiff responded: — “extra swipes on an unlimited meals One Card —aren't permissible.” —Then her husband stated: — “why not, —because we've been allowed to it before.”

213. On Monday February 13, 2023, Plaintiff asked — the Black female student One Card holder would she —and her husband like —to speak with someone in management—and they both replied yes. —Plaintiff then asked Co-Defendant Klevion Edwards— to go get Co-Defendant Supervisor Darryl Hines —to address —the black family's lunch issue.

214. On Monday February 13, 2023, at approximately 11:33 am or some 15 minutes later, Co-Defendant Supervisor Darryl Hines came to Plaintiff's register with a belligerent or hostile attitude complaining about being the only person doing something because of employees' shortages —and that he didn't have time to provide any customer services —to anyone and left with the same belligerence he had brought. 1

215. On Monday February 13, 2023, at approximately 11:38 am or some 20 minutes later, the black family awaiting to speak with manage finally got discourage and just angrily left. Shortly afterwards, Co-Defendant Food Service Director Hillary Gallagher finally came —with her uncontrollable racist white nature —and Plaintiff stated to her: “I had a customer problem— and needed management. Darryl came —and didn't have time —to provide customer service. Co-Defendant Food Service Director Hillary Gallagher then replied arrogantly: “well, I'm here now, what's the problem?”

216. On Monday February 13, 2023, Plaintiff responded —to Co-Defendant Food Service Director Hillary Gallagher stating: — “I had a female black student with her husband —and children —that obviously

misunderstood her meal plan,—and I needed management —to confirm —to them what I had stated— to them.” Co-Defendant Food Service Director Hillary Gallagher asked Plaintiff: “did you know them?” Plaintiff replied: — “no, I didn’t know them.” Co-Defendant Food Service Director Hillary Gallagher replied: — “how is that possible,—you’re here all the time,” —and arrogantly walked away.

217. On Wednesday February 15, 2023, Plaintiff’s register kept going offline —while Plaintiff was the **only cashier** on a register,—and **no one could be processed** in Todd Dining Hall to **eat** —as long as Plaintiff’s **register was offline**.—Plaintiff **reported it** —and Co-Defendant Supervisor Darryl Hines and Co-Defendant Location Manager Shenitha Dupree, and Co-Defendant Food Service Director Hillary Gallagher **acted as if was no big deal**,—and just **allowed Plaintiff** —to **struggle with the offline problem** —and **offered no advice** —nor **advising Plaintiff** —of **any possible causes**.

218. On Wednesday February 15, 2023, **concerning Plaintiff’s ongoing unexpected offline problems**, Co-Defendant Supervisor Darryl Hines’s and Co-Defendant Location Manager Shenitha Dupree’s, and Co-Defendant Food Service Director Hillary Gallagher’s **managerial actions** —were **not only disrespectful**, —but also **actions** —of **blatant non-concerns about Plaintiff’s offline problems** —that **created— long lines**— of waiting students, faculty members —and other customers —that **would not otherwise have had** —to wait if **management had not acted** —with **malicious intent against Plaintiff**.

219. On Wednesday February 15, 2023, was Todd Dining Hall’s Fried Chicken, and the **busiest day** of the week, —and Co-Defendant Location Manager Shenitha Dupree **finally came** —at **approximately 11:34 AM**, —which was **about 34 minutes after** —the **11:00 AM lunch period had begun** —and informed Plaintiff —that **she didn’t know what** —was **causing** —the **reoccurring offline problem**, — to Plaintiff’s register —and finally sent Defendant Senior Cashier Debbie Daniels **out** —to her register —to assist Plaintiff—because Defendant Senior Cashier Debbie Daniels’ **register wasn’t experiencing off-line problems**.

220. On Wednesday February 15, 2023, **several students, faculty members**, —and **customers** —were **complaining about management’s failure** —to provide Plaintiff **assistance** —to help resolve—Plaintiff’s **reoccurring offline register issue**, —that became profoundly frustrating —and angered —

Plaintiff, students, faculty members, and customers, —as Co-Defendant Supervisor Darryl Hines and Co-Defendant Location Manager Shenitha Dupree, and Co-Defendant Food Service Director Hillary Gallagher blatantly displayed — a profoundly terrible noticeable level —of concern.

221. On Thursday February 16, 2023, and Friday February 17, 2023, — Plaintiff had previously informed management —that death had occurred in —Plaintiff's family —and Plaintiff took bereavement leave. Unsurprisingly to Plaintiff, no one from management showed —Plaintiff compassion verbally— nor with a sympathy card, —and Plaintiff didn't disappoint himself —by expecting any compassion —of any form, —because sympathy —and empathy were not internal attribute —of their natures.

222. On Monday February 20, 2023, when Plaintiff returned —from bereavement leave, — Co-Defendant Location Manager Shenitha Dupree, and Co-Defendant Food Service Director Hillary Gallagher presented Plaintiff—with another frustrating —and depressing work shift schedule cut —without any remorsefulness —to their personal gratifications —and satisfactions —to make Plaintiff's workplace —as unwelcomingly —and miserable as possible.

222. On Monday February 20, 2023, — Co-Defendant Location Manager Shenitha Dupree, and Co-Defendant Food Service Director Hillary Gallagher cut —Plaintiff's work schedule —by another $\frac{1}{2}$ hour —or $2 \frac{1}{2}$ hours a week, —or 5 hours per biweekly pay period —or 10 hours monthly, — and ultimately decreasing Plaintiff's monthly hours cut —to 40 hours monthly.

223. What type of human beings have —the audacity —to do such blatant financial harm —to other human beings having —the same financial needs —of providing food, clothing, — and shelter —for their families? —This is highly immoral —and unacceptable —by any company —of moral integrity.

224. On Monday February 20, 2023, Co-Defendant Location Manager Shenitha Dupree, and Co-Defendant Food Service Director Hillary Gallagher showed —Plaintiff their condolences —by maliciously ensuring Plaintiff was continuously subjected —to financial hardship —by decreasing Plaintiff's monthly pay cut from ($\$17.35 \times 30 = \520.50 monthly) —to ($\$17.35 \times 40 = \694 monthly) —which they maliciously implemented pleasurable —and showing themselves being two (2) —of the most indignant people/managers —Plaintiff has ever worked.

225. On Monday February 20, 2023, at **9:05 am after clocking in** —and performing —Plaintiff's **Cash Verification Deposit Slip**, —and coming to the register, —Plaintiff **asked** Co-Defendant Supervisor Darryl Hines was —the **To-Go-Box Machine working** —and he replied: — “**I don't know.**” —Plaintiff then **asked** Co-Defendant Supervisor Darryl Hines if he would ask Defendant Senior Cashier Debbie Daniels if —the **To-Go-Box Machine was working** —and Co-Defendant Supervisor Darryl Hines **asked** —and Defendant Senior Cashier Debbie Daniels **blatantly refused**— to answer Defendant Supervisor Darryl Hines —and just arrogantly walked away.

226. On Monday February 20, 2023, Co-Defendant Supervisor Darryl Hines **again asked**—Defendant Senior Cashier Debbie Daniels was— the **To-Go-Machine working** —and Defendant's Senior Cashier Debbie Daniels **still refused** answering —to the **question**, —but instead stated: — “**I'm going to get the key.**” —Co-Defendant Supervisor Darryl Hines **threw his hands up in** —the air —and stated to Plaintiff: — “**that's just —the way she is,** —and **management lets her get away** —with **anything she wants to do,** —and **there isn't anything I can do about it;**” —the **shameful comments** —of Defendant Senior Cashier Debbie Daniels's **immediate supervisor.**

227. On Monday, February 20, 2023, Defendant's Senior Cashier Debbie Daniels manifested — The **disrespectfulness, arrogance, —and foolishness** Plaintiff —is **subjected daily** —that are **frustrating, irritating things** —that **perpetually create** —an **unwelcomingly** —and **unfavorable work environment** —for Plaintiff —that Co-Defendant Supervisor Darryl Hines, and Co-Defendant Location Manager Shenitha Dupree, and Co-Defendants Food Service Director Hillary Gallagher **allows** —because her bad behavior towards Plaintiff **gratifies** —and **satisfies their primary objective** —of making Plaintiff's **daily work environment** —as **unwelcoming, unfavorable, —and as miserable as possible.**

228. On Monday February 20, 2023, there were —**five (5) green dirty To-Go-Boxes on top** —of the **To-Go-Box-Machine** —that **had not been properly returned to**— the **To-Go-Box Machine**, —which was the **primary reason** —for Plaintiff asking if —the **To-Go-Box Machine was working.** —Plaintiff **took a picture** —of the **five (5) green dirty To-Go-Boxes on top** —of the **To-Go-Box Machine** —and **showed pictures** —to Co-Defendant Location Manager Shenitha Dupree— to **no avail;** —which was a **confirmation** —that Defendant Senior Cashier Debbie Daniels does whatever she pleases —without any fear —of consequences or repercussions —by management.

229. On Monday February 20, 2023, Defendant Senior Cashier Debbie Daniels—at approximately 11:05 AM informed Plaintiff that —she had —to relieve a cook —of her duties —and that she wouldn’t be back —to relieve Plaintiff until 12:00 PM,—because the work shift was very short —of employees; —but she never came back, instead —Co-Defendant Location Manager Shenitha Dupree sent —Defendant Chef Deva Pickens —to relieve Plaintiff —for Plaintiff’s lunch break.¹

230. On Monday February 20, 2023, about 12:10 PM, Defendant Chef Deva Pickens came —to Plaintiff’s register —and stated: —“I’ve come to relieve you for your lunch break,” and Plaintiff replied: —“you’re not planning —to work under my name —and employee ID, are you? —Co-Defendant Location Manager Shenitha almost immediately showed up and stated: —“she has her own card —and she’s going to use her own card —to sign into the register.”

231. On Monday February 20, 2023, about 12:10 PM, things didn’t happen—as Co-Defendant Location Manager Shenitha Dupree had stated to Plaintiff. —Instead, Co-Defendant Location Manager Shenitha Dupree took —Defendant Chef Deva Pickens—to Defendant Debbie Daniels’ register —and logged herself into Defendant Debbie Daniels’ register without closing it out —and allowed Defendant Chef Deva Pickens—to work from Defendant Debbie Daniels’ unclosed out register drawer.

232. On Monday February 20, 2023, to Plaintiff’s knowledge, Defendant Chef Deva Pickens had never worked —the register. Co-Defendant Location Manager Shenitha Dupree gave Defendant Chef Deva Pickens —the same verbal instructions provided— to every new —and/or inexperienced employee placed —at Defendant Senior Cashier Debbie Daniels’s register, —including, the improper short cut —for processing To-Go-Box-Meals.

233. On Monday February 20, 2023, Plaintiff informed Defendant Chef Deva Pickens —that To-Go-Box Meals could not be processed properly —from Defendant Senior Cashier Debbie Daniels’ register —because the Ozzi Digital Token button is broken; —and Plaintiff stated this in Co-Defendant Location Manager Shenitha Dupree’s presence, —which was not appreciated.

234. On Monday February 20, 2023, Plaintiff while —at his lunch

observed several students —with green To-Go-Boxes, —which meant —that Defendant Chef Deva Pickens had processed Go-To-Box meals. —Plaintiff after returning —from lunch asked Defendant Chef Deva Pickens— had she processed Go-To-Box meals —and she replied: “yes.” —Plaintiff replied: —“you know —that you processed them wrong, don’t you?” Defendant Chef Deva Pickens replied: “I did what Dupree told me to do —and that’s fine.”

235. On Friday February 24, 2023, Plaintiff **had a called meeting —with Co-Defendant Residential District Manager Kelvin Tarukwasha about— Plaintiff speaking —with EUC client Celia Daniels about —the Todd Dining Hall’s employees’ shortages.** —After speaking about —that issue, —Plaintiff took —the opportunity —to express —to Co-Defendant Residential District Manager Kelvin Tarukwasha **his immediate concerns and reminded Co-Defendant Residential District Manager Kelvin Tarukwasha —that Plaintiff had previously spoken —both him and Co-Defenfdant Director of Operations Thomas Bedwardii about —the ongoing To-Go-Box processing problems —and other issues.**

236. On Friday February 24, 2023, Plaintiff **believed —that he had established— an atmosphere —of respect —and effective communication —with Co-Defendant Residential District Manager Kelvin Tarukwasha— that would possibly get some long-awaited corrective action implemented —to resolve several unresolved existing issues, —including, but not limited —to the ongoing To-Go-Box processing problems.**

237. On Friday February 24, 2023, Plaintiff **poured out his concerns —to Co-Defendant Residential District Manager Kelvin Tarukwasha, which were: —(1) Plaintiff had no prior training —for Cashier duties prior —to reporting —to work on August 19, 20922; — (2) Plaintiff has had no training —for Cashier duties after reporting —to work on August 19, 2022; —(3) Plaintiff has continuously been provided —with misguidance— from Co-Defendant Location Manager Shenitha Dupree; — (4) Plaintiff has not been provided timely, proper, —and adequate managerial assistance as needed; — (5) management has create —an unhealthy, unwelcoming, unfavorable, —and unproductive work environment; —and (6) the daily struggle —with Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Hillary Gallagher—to do what’s right!**

238. On Friday February 24, 2023, Plaintiff **informed Co-Defendant Residential District Manager Kelvin Tarukwasha—that the “To-Go-Box-Program instructions” provided — by Co-Defendant Location Manager answered many**

questions —that Plaintiff would not have been required —to have asked —of Co-Defendant Director of Operations Thomas Bedwardioi —and himself had Plaintiff been provided those “To-Go-Box-Program instructions” in—the beginning — of Plaintiff’s employment on August 19, 2022.

239. On Friday February 24, 2023, Co-Defendant Residential District Manager Kelvin Tarukwasha responded: — “so, now that you have them, let’s go forward.” — Plaintiff replied: — “it’s not just that simple,—because there’s still within those instructions’ questions,—that ‘I’ve asked Dupree— that I’ve not yet received answers,—and I want to do what’s right —and proper.”

240. On Friday February 24, 2023, Co-Defendant Residential District Manager Kelvin Tarukwasha responded: — what time does your shift end? Plaintiff replied: —3:00 PM. Co-Defendant Residential District Manager Kelvin Tarukwasha responded: — “I’m going to have Mary Rhodes come over —and talk with you—and to fix anything needing—to be repaired on—the broken register —and then instructed Plaintiff if Plaintiff had questions —to call —the Aramark Hot Line— or contact MYHR, —which Plaintiff considered good advice —if he does everything he has said.

241. Plaintiff got —to talk with Mary Rhodes in early April 2023, — which was just before she came over —and repaired Defendant Senior Cashier Debbie Daniels’ broken Ozzi Digital Token button on April 9, 2023; — which was 44 days after Co-Defendant Residential District Manager Kelvin Tarukwasha stated: — “I’m going to have Mary Rhodes come over —and talk with you—and to fix anything needing—to be repaired on— the broken register.” — Obviously, the broken Ozzi Digital Token button on —Defendant Cashier Debbie Daniels’ register was not —a top priority fix—which clearly explains why management left it idly broken —for at least 9 months or more.

242. Co-Defendant Residential District Manager Kelvin Tarukwasha deceived Plaintiff —to believe —that he had Plaintiff’s concerns at heart; — however, Plaintiff discovered —that his concerns poured out fell upon deaf ears; —because Co-Defendant Residential District Manager Kelvin Tarukwasha was part—of the problem,—and not —the solution,—as the findings —of fact have overwhelmingly proven. —The truth concerning all things at —the Todd Dining Hall —is revealing all falsehoods.

243. On Wednesday March 15, 2023, Plaintiff was subjected —to an

unnecessary outrage —of anger —by a student’s profound frustration —because of Co-Defendant Location Manager Shenitha Dupree’s —and Co-Defendant Food Service Manager Hillary Gallagher’s verbal revocation of —the FIRST TWO (2) WEEKS OF INSTRUCTIONS’s — “Note to Celia” —that provided students access —to eat throughout —the semester —by providing their Banner IDs, —first —and last names.

244. Plaintiff ever since Monday January 16, 2023, had requested written instructions from Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Hillary Gallagher —to support —and present —to students —the official change verbally revoking —the January 5, 2023, instructions in —the “Note to Celia” —and both Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Hillary Gallagher have vehemently refused providing —a written instruction supporting their verbal change —to help cease —the Cashier/student conflicts over this issue— as of March 16, 2023, some two (2) months —or 60 days ago.

245. On Wednesday March 15, 2023, Plaintiff recalled— a similar situation happening on February 15, 2023, —when a student proceeded —to give Plaintiff his Banner ID, —and Plaintiff informed —the student —that Banner IDs are no longer permitted —for processing. —The student replied: — “other cashiers have allowed me —to use it” —and why aren’t you allowing me —to use my Banner ID —and eat? —Plaintiff replied: — “other cashiers allowing you —to use your Banner ID—are violating —a verbal policy change, —and I’m not going —to do —the same.”

246. On Wednesday March 15, 2023, the student became very frustrated —and angry —and in what appeared being a threatening voice stated: — “so you’ll are not going —to allow a student —to eat?” —Plaintiff replied: — “that’s the new verbal policy.” —Then Co-Defendant Food Service Director Hillary Gallagher appeared, —and Plaintiff stated— to the student: — “she’s the Director, speak —to her about it.”

247. On Wednesday March 15, 2023, as Co-Defendant Food Service Director Hillary Gallagher sought —to speak with him, —the profoundly frustrated student — in a burst —of outrage stated: — “so you’ll are not going —to let a student eat,” —and angrily exited —the Todd Dining Hall’s lobby. —This event should have motivated Co-Defendant Food Service Director

Hillary Gallagher—to immediate provide written instructions —to prevent outrages /conflicts —of this nature from happening again.

248. On Friday March 17, 2023, Plaintiff asked Co-Defendant's Director of Operations Thomas Bedwardii had —Co-Defendant Food Service Manager Hillary Gallagher informed him about what had happened— on Wednesday March 15, 2023, about —the student/Plaintiff conflict over —the usage —of Banner IDs,—and he responded: — “no.” —Plaintiff commenced —to telling him what had happened —and how it could possibly could have been prevent from happening —or reoccurring again. Then Co-Defendant's Director of Operations Thomas Bedwardii looked on —the register desk wall, grabbed available instructions,—and read something,—and left without saying anything else—and “nothing was never done!”

249. Plaintiff being inquisitive about what —Co-Defendant Director of Operations Thomas Bedwardii could have possibly taken off— the register wall hook —and read,—because there was nothing there helpful —for helping —to accomplishing cashier responsibilities prior— to the **East Carolina University Spring Break** (March 5, -March 12, 2023). —Plaintiff, however found —that Co-Defendant Location Manager Shenitha Dupree —and Co-Defendant Food Service Manager Hillary Gallagher had secretly placed new instructions on —the register wall hook without informing Plaintiff —of the new instructions.

250. During the **East Carolina University Spring Break** (March 5, 2023–March 12, 2023), —Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Hillary Gallagher had replaced prior instructions with: (1) a new Employee Meal policy without any created or revised date; —and (2) a new Ozzi-To-Go Program instruction with —a revised date of 8/31/2022, —which raised —a triple red flag! — “Why?”

251. On Friday August 19, 2022, Plaintiff's start date —at the Todd Dining Hall,—there were no “To-Go-Program instructions —at the registers. —Co-Defendant Location Manager Shenitha Dupree's and Defendant Food Service Director Hillary Gallagher's secret placement —of an Ozzi-To-Go-Program instruction at —the registers with— a revised date August 31, 2022, —was an attempted managerial deception plan —to make it appear —that Plaintiff was provided Ozzi-To-Go-Program instruction twelve (12) days —after Plaintiff started his employment at —the Todd Dining Hall on August 19, 2022, —which raised —triple red flag! — “Why?”

252. Co-Defendant Location Manager Shenitha Dupree's—and Co-Defendant Food Service Director Hillary Gallagher's secret placement—of an **Ozzi-To-Go-Program instruction** at—the registers with—a revised date **August 31, 2022**,—was not done without—the knowledge—of Co-Defendant Residential District Manager Kelvin Tarukwasha—and Co-Defendant Director of Operations Thomas Bedwardii,—which is exactly—the reason Co-Defendant Director of Operations Thomas Bedwardii looked on—the register desk wall, grabbed available instructions,—read something,—and left without saying anything else.

253. On Friday March 17, 2023, Co-Defendant Location Manager Shenitha Dupree called Plaintiff—to her office—for a meeting—that included Co-Defendant's Supervisor Darryl Hines,—whom Plaintiff had expressed—that what happened—with Plaintiff on March 15, 2023, had—also happened previously on February 15, 2023,—and that Plaintiff felt somewhat threatened,—and that management needed—to do a better job ensuring Plaintiff's—and other cashiers' security.

254. On Friday March 17, 2023, at Co-Defendant Location Manager Shenitha Dupree's called meeting she asked Plaintiff:—“what's wrong?— Plaintiff replied: “as I conveyed—to Darryl, I didn't feel—that management had done all—that it could do—to create a more peaceful—and safer work environment—for cashiers,—and that written instructions should be provided—to provide—to students—who question Cashiers' denials—of accepting their Banner IDs—to eat.”

255. On Friday March 17, 2023, Co-Defendant Location Manager Shenitha Dupree responded:—“Darryl said that you said—you felt threatened—by some students.”—Plaintiff replied:—“yes, I have them standing close—to me while I convey management's verbal—“No Banner ID Usage Policy,— which they vehemently disapprove.—Co-Defendant Location Manager Shenitha Dupree replied:—“if feel threatened you don't need—to be at—the register,”—and HR Manager Ashley Hall needs—to get involved.”

256. On Friday March 17, 2023, Plaintiff replied:—There's nothing wrong with me,—and if I felt threatened, it's management's responsibility—to ensure—that no threats—or seemly threat—are encountered—by Plaintiff nor any other Cashiers—because of this verbal “No Banner ID Usage Policy,—that management will not provide written policy.—There's nothing wrong

with me —and I haven't done anything wrong —nor manifested unacceptable behavior practices.”

257. On Friday March 17, 2023, Co-Defendant Location Manager Shenitha Dupree responded: — “I feel you need to home —and cool off.” —Plaintiff responded: — “my hours have already been cut —and I don’t need to go home.” —She responded: — “I need you to go home —and come back Monday (March 20, 2023). —Plaintiff replied: — “yes, I’ll go home as you have requested, —and I need to take PTO —for the rest —of the work shift.” —She responded: — “yes, you can do that.” — Then, Co-Defendant Supervisor Darryl Hines asked Plaintiff, — “are you alright?”

258. On Friday March 17, 2023, Plaintiff responded: — “what do you mean?” —Co-Defendant Location Manager Shenitha Dupree replied: — “he just wants —to know if you are ok.” Plaintiff responded: — “yes, I’m ok, —because there’s nothing wrong with me in —the first place.” —Then Plaintiff and Co-Defendant Supervisor Darryl Hines got up —and exited Defendant Location Manager Shenitha Dupree’s office —to return —to the Safe’s office.

259. On Friday March 17, 2023, Plaintiff —and Co-Defendant Supervisor Darryl Hines entered —the Safe’s Office — for Plaintiff — to verify Plaintiff’s cash register drawer — and perform Plaintiff’s Cash Verification Deposit Slip, —and while Plaintiff was performing his cash drawer verification, —Co-Defendant Supervisor Darryl Hines attempted consoling Plaintiff —and stated: to Plaintiff: “I’ve experienced those same things you were speaking —to Dupree about, — but that changed nothing!”

260. On Friday March 17, 2023, Plaintiff then brought up Defendant Production Manager Earl Kornegay’s alcoholic breath, —and Co-Defendant Supervisor Darryl Hines immediately stated: — “that’s an everyday thing — and “all” — of management knows it —and has allowed it. —I just look —the other way.” —Co-Defendant Supervisor Darryl Hines attempted —to continuous provide— sense— of condolence— to Plaintiff stating: — “Larry, I’ll see you Monday; —take care of yourself —and don’t worry about these things, — because “nothing is going to change.” — “I’ve never seen it like this before!”

261. On Monday, March 20, 2023, upon Plaintiff’s return to work, — Plaintiff while considering —a vitally important portion —of Co-Defendant Supervisor’s Darryl Hines’s statement: — “nothing is going to change, —I’ve never seen it like this before;” —recalled very clearly —a vitally important

question —and answer —that Co-Defendant Location Manager Shenitha Dupree asked Plaintiff —and then stated —to Plaintiff in —the Friday, March 17, 2023, meeting —which was: —“Have you not gone over my head— to Thomas —and Kelvin —and reported —the same things to them —that you’ve reported to me; —and nothing has happened has it, —then what does that tell you?”

262. On Monday, March 20, 2023, Plaintiff also learned from Defendant Marketing Coordinator DeNesha Deans —that Defendant Chef Deva Pickens had been selected —by Defendant to do —a presentation honoring Women History Month —and was scheduled— to make —a film presentation on Tuesday March 21, 2023, —to be presented ECU campus-wide —on Instagram.

263. However, Defendant Chef Deva Pickens never got —the opportunity —to make —the scheduled film presentation on Tuesday March 21, 2023, —because of the bitter envy —and self-seeking racist white desire —of Co-Defendant Food Service Director Hillary Gallagher —who abused her position —of authority —to terminated —or fire Defendant Chef Deva Pickens beforehand —to create that scheduled film presentation honoring —Women History Month —for herself.

264. On Monday, March 20, 2023, Plaintiff also learned —that Defendant Chef Deva Pickens had given Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Hillary Gallagher —a two (2) weeks’ notice —of resignation before being terminated. —Co-Defendant Food Service Director Hillary Gallagher’s hurried termination —of Defendant Chef Deva Pickens was premeditated, intentional, willful, purposeful, —and deliberately implemented —with malice —to create —a rare promotional opportunity— to exalt —and promote herself at —the unremorseful expense —of Defendant Chef Deva Pickens’ underserved termination.

265. Co-Defendant Food Service Director Hillary Gallagher’s racism —is directed specifically —at blacks, —and other people —of color based upon —the systems —of power —and oppression —wherein perceiving herself superior over blacks —and other people —because of the color —of her white skin—that affords her special white privileges —and the right —to mistreat

blacks—and other people—of color—according to her individual racialized views—and embedded racist white cultural behavior practices.

266. Co-Defendant Food Service Director Hillary Gallagher immediately after terminating—Defendant Chef Deva Pickens began arrogantly flaunting around daily—in her own distinguished chef’s uniform—to exalt herself—and to provoke—the envy—of employees working under her preview, which she did with arrogant pride.

267. Defendant Marketing Coordinator DeNesha Deans strongly believes—that Defendant Food Service Director Hillary Gallaugher’s termination—of Defendant Chef Diva Pickens was racially motivated—and implemented with malicious intent—because of Defendant Marketing Coordinator DeNesha Deans’ her own personal experience—of Co-Defendant Food Service Director Hillary Gallaugher’s verbal outbursts—and personal acts—of racism.

268. Defendant Marketing Coordinator DeNesha Deans (a black woman)—begin her position—as a Marketing Coordinator on October 24, 2022, under Defendant Marketing Director Sarah Barkley (a white woman).—Co-Defendant Residential District Director Kelvin Tarukwasha (a black man)—was subjected immediately—to an extremely hostile work environment—because of Defendant Marketing Director Sarah Barkley’s racist white actions—and became—the victimized Co-Defendant Residential District Manager Kelvin Tarukwasha—who failed—to address—and to handle—the racist white racism issue appropriately.

269. Co-Defendant Residential District Director Kelvin Tarukwasha despite—Defendant Marketing Director Sarah Barkley’s racist actions allowed—Defendant Marketing Director Sarah Barkley—to remain in her position—to the detriment—of Defendant Marketing Coordinator DeNesha Deans—and others—because of his personal fear—to act upon Defendant Marketing Director Sarah Barkley’s racist white racism—and alcoholism.

270. Co-Defendant Residential District Director Kelvin Tarukwasha—because of his own personal fear—of losing his job—so became—a “yes black man”—of the Antebellum South—that allowed white people under his preview—to do whatsoever—they desired doing without any fear—of consequences—or repercussions—to the detriment—Defendant Marketing Coordinator DeNesha Deans—and others—and therefore unfit—for his position.

271. Defendant Marketing Director Sarah Barkley was promoted —to a higher position— at the next level —and officially left— the Marketing Office —as its Marketing Director on January 13, 2023, — and Defendant Marketing Coordinator DeNesha Deans became —the Interim Marketing Director.

272. Co-Defendant Residential District Director Kelvin Tarukwasha —the official top managerial executive —of record—was not —the official top managerial executive—of recognition, —but Co-Defendant Director of Operations Thomas Bedwardii, — was the official top managerial executive—of recognition—and Co-Defendant Residential District Director Kelvin Tarukwasha allowed it—to happen—because of his own personal fear—of white people.

273. Co-Defendant Residential District Director Kelvin Tarukwasha lacks integrity —and is not committed —to the mission, vision, —and values —of Aramark—which makes him —a coward—who’s afraid —of implementing his responsibilities. Co-Defendant Director of Operations Thomas Bedwardii, —and Defendant Marketing Director Sarah Barkley, —and Co-Defendant Food Service Director Hillary Gallagher all came —to know —and to realize this —and took full advantage —of Co-Defendant Residential District Director Kelvin Tarukwasha’s cowardness.

274. Defendant Marketing Coordinator DeNesha Deans never received any training —to perform —the Marketing Director’s job —and as Interim Marketing Director went —from working 40 hours per week —to almost 80 hours per week. —Co-Defendant Residential District Director Kelvin Tarukwasha promised —Defendant Interim Marketing Director DeNesha Deans —a pay raise —and to be paid— the same salary —as a Marketing Director, —but never came through with his promises.

275. Defendant Marketing Coordinator DeNesha Deans —as the Interim Marketing Director felt misled— by Co-Defendant’s Residential District Director Kelvin Tarukwasha —because his promises were only words—that were never official documented. —Co-Defendant’s Residential District Director Kelvin Tarukwasha—is a proven coward, deceiver, —and liar, —who’s unfit —for his position.

276. Defendant Marketing Coordinator DeNesha Deans while serving —as the Interim Marketing Director, —Co-Defendant’s Director of Operations Thomas Bedwardii (a white man) decided —to have Defendant Interim Marketing Director DeNesha Deans share an office with— the recently hired Co-

Defendant Food Service Director Hillary Gallagher, —who immediately created —a toxic —and racist work environment —for Defendant Interim Marketing Director DeNesha Deans, —and her interns —and staff. 1

277. Defendant Interim Marketing Director DeNesha Deans witnessed —Co-Defendant Food Service Director Hillary Gallagher repeatedly make derogatory comments —about one (1) —of the intern student's sexual orientation —and even use racial slurs —when referring —to another student intern's name.

278. Defendant's Interim Marketing Director DeNesha Deans witnessed one (1) occasion —when she —and her interns were working in —the Marketing Office and a student —was brought up —who previously worked a shift, —so his name —was mentioned about —the topic —of discussion. —Co-Defendant Food Service Director Hillary Gallagher abruptly, —without invitation, —aggressively —and respectfully inserts herself into —the conservation, stating —to the whole room —that the “student is gay.” —The students didn't know how —to respond —but were profoundly outraged —by Co-Defendant Food Service Director Hillary Gallagher's offensive comment.

279. Defendant's Interim Marketing Director DeNesha Deans witnessed —Co-Defendant Food Service Director Hillary Gallagher on several occasions mentioned —to the student's face in different ways —that his masculine traits didn't make sense, hinting —at her thinking he —was gay.

280. Defendant's Interim Marketing Director DeNesha Deans witnessed —on another separate occasion, —Co-Defendant Food Service Director Hillary Gallagher —while another student —was helping Defendant Interim Marketing Director DeNesha Deans set up —a table —for an event they were having, —the student —was having a hard time —and asked Defendant's Interim Marketing Director DeNesha Deans —for help in front —of Co-Defendant Food Service Director Hillary Gallagher, —and she replied —to him saying: —“Duh you're not gay.”

281. Co-Defendant Director of Operations Thomas Bewwardii (a white man) is the real secret deceptive culprit behind —the racist white behavior practices implemented —and tolerated at the East Carolina Aramark location. —Co-Defendant Director of Operations Thomas Bedwardii gave Co-Defendant Food Service Director —a free passage —to implement racist white behavior

practices from —her very beginning — because such racist white behavior practices were —of his own personal gratification —and satisfaction.

282. Co-Defendant Director of Operations Thomas Bewwardii's **bigotry, narcissistic, xenophobia personality traits —have always manifested themselves —in certain situations, —but he has always found ways —to strategically prevent —the overt disclose —of his detrimental —or environmentally unfriendly cause —to the promotion —of equality —and justice —for blacks —and other people —of color. —But “now he's clearly exposed!”**

283. Co-Defendant Director of Operations Thomas Bewwardii was—the **employment authoritarian behind Co- Defendant Food Service Director Hillary Gallagher's rampant —or unrestrained widespread —of racist white behavior practices —that threatened, intimidated, —or coerced blacks —and other people —of color through purposeful —and deliberate fear inducement. Co-Defendant Food Service Director Hillary Gallagher operated without any fear —of consequences —or repercussions.**

284. Defendant Interim Marketing Director DeNesha Deans was **subjected —to a shocking —and embarrassing situation due— to Co-Defendants Food Service Director Hillary Gallaugher's racially motivated —and demeaning comment, —which brought on a moment —of being frozen without words —to appropriately respond.**

285. Defendant Interim Marketing Director DeNesha Deans reported —Co-Defendant Food Service Director Hillary Gallagher's **racially motivated —and inappropriate behavior practices —to Co-Defendant Director of Operations Thomas Bedwardii —and Co-Defendant Residential District Director Kelvin Tarukwasha multiple times —who informed Defendant Interim Marketing Director DeNesha Deans —that Co-Defendant Human Resources Manager Ashley Hall was **going —to be pulled in**— but Co-Defendant Human Resources Manager Ashley Hall **never make contact directly** —with Defendant's Interim Marketing Director DeNesha Deans **about —Co-Defendant Food Service Director Hillary Gallagher's racially motivated —and inappropriate behavior practices.****

286. Defendant's Interim Marketing Director DeNesha Deans **witnessed —on another occasion, —Co-Defendant Food Service Director Hillary Gallagher's disparaging —and disrespectfulness —of an intern —who is of Spanish descent, named Juan. —Co-Defendant Food Service Director Hillary Gallagher **would purposefully repeatedly call him Jose —and laugh about it.****

One (1) day after Juan —was leaving after his shift ended, —Co-Food Service Director Hillary Gallagher walked out —the door —and stated: — “bye Jose, I’m just kidding —and laugh about it.”

287. Defendant Interim Marketing Director DeNesha Deans witnessed —Co-Defendant Food Service Director Hillary Gallagher —at times with actions having racial undertones. On another occasion, one (1) student intern —was sitting on —the floor in —the share office space with —Co-Defendant Food Service Director Hillary Gallagher helping pack up decorations— from a previous event. —The office —was filled with people, —Co-Defendant Interim Marketing Director DeNesha Deans’s interns —and the **Regional Marketing Team** —was helping out with tasks —for the year 2023.

288. Co-Defendant Food Service Director Hillary Gallagher jolts into —the shared Marketing Office — and scornfully looks down —at the intern cleaning up—and abruptly —and aggressively starts yelling at—the intern in front —of everyone —to move away from his desk. —As the **student intern** silently attempts —to move away from Co-Defendant Food Service Director Hillary Gallagher’s desk, — Co-Defendant Food Service Director Hillary Gallagher continues yelling —and calling out Defendant Interim Marketing Director DeNesha Deans—in the middle—of a conversation — Defendant Interim Marketing Director DeNesha Deans —was having with —the **Regional Marketing Team members**.

289. Co-Defendant Food Service Director Hillary Gallagher —as if what she had already done wasn’t enough, —then angrily —and aggressively begins —to kick toward —the student intern —and throw —the decorations off —the floor in —the intern student’s direction. —The intern student immediately gets up from —the floor —and exits —the shared Marketing Office — and taking decorations with her.

290. When the intern student, —who was— the victim —of Co-Defendant Food Service Director Hillary Gallagher’s underserved racist white attack had left, —then Co-Defendant Food Service Director Hillary Gallagher stated —to another Hispanic student intern saying: — “she acted as if I killed her dog. —I can do that if she wants me to,” —and proceeded to laugh.

291. Defendant Interim Marketing Director DeNesha Deans as— a direct result —of Defendant Food Service Director Hillary Gallagher’s underserved racist white racial attack on —the **Hispanic intern student**, —and the intern

Hispanic student's hurt —and pain —of Co-Defendant Food Service Director Hillary Gallagher's racist white racial attack— Defendant Interim Marketing Director DeNesha Deans had to send —the intern Hispanic student home,— which cut —the intern Hispanic student's pay— for that day.

292. Defendant Interim Marketing Director DeNesha Deans **repeatedly with** —**the most-serious** —**of concerns reported** —Co-Defendant Food Service Director Hillary Gallagher's **inappropriate racist white racial behavior practices** —to Co-Defendant Residential District Director Kelvin Tarukwasha —who **did absolutely nothing**, —but **coward out** —and **looked after his own personal interests**—to the **detriment** —of Defendant Interim Marketing Director DeNesha Deans—**any many other** Defendant Aramark employees.

293. Co-Defendant Residential District Director Kelvin Tarukwasha —is a **total disgrace** —and **total embarrassment** —to **responsible managers enforcement** —Defendant Aramark Equal Employment Opportunity (EEO) policy —and Defendant Aramark EEO Statement which states:

"We are committed —to an equitable workplace engaging our employees —and building trust in an environment —where we value differences. —At Aramark, we believe —that every employee should enjoy equal employment opportunity —and be free— to participate in all aspects —of the company.

We do not discriminate on —the basis —of race, color, religion, national origin, —age, sex, gender, pregnancy, disability, sexual orientation, gender identity, genetic information, military status, protected veteran status —or other characteristics protected— by applicable federal, state —or local law."

294. Defendant Interim Marketing Director DeNesha Deans **recalls** —that **on one (1) occasion** —Co-Defendant Residential District Director Kelvin Tarukwasha —**attempted getting** Defendants Interim Marketing Director DeNesha Deans— to **bribe** —the **intern Hispanic student in connection** —to Co-Defendant Food Service Director Hillary Gallagher's **disparaging** —and **derogatory gay comment** with— a **gift card** —from **Mission BBQ**.

295. Co-Defendant Residential District Director Kelvin Tarukwasha quickly realized —that **"his act"** —of **"attempted bribery"** was —a **"profoundly terrible decision"** —and told Defendant Interim Marketing Director DeNesha Deans —to **do with** —the **gift card** —from **Mission BBQ** —as Defendant Interim Marketing Director DeNesha Deans **wished** —and **made**

Defendant Interim Marketing Director DeNesha Deans sign a piece—of paper stating: —“he gave me—the gift cards—to cover him with his supervisors.”

296. Defendant Interim Marketing Director DeNesha Deans’s **last workday**—at Defendant **Aramark Marketing Office** was **March 31, 2023.**—Defendants Interim Marketing Director DeNesha Deans’s **devastaging experience**—at Defendant **Aramark has led her**—to **believe**—Defendant **Aramark is**—a **racist organization**—that **cares only about its staff**,—in **particularly**—and **specifically its white staff.**

297. Defendant Interim Marketing Director DeNesha Deans further believes—that Defendant **Aramark put people in places**—of **power**—and **authority**—that **care more about people bowing down**—to Defendant **Aramark than doing good work**,—and that **everyone in upper management**—**is doing whatever’s necessary**—to **cover themselves**—of **corruptible activities.**—Defendant Interim Marketing Director DeNesha Deans’s **final comment states:** —“I had a horrible experience” at—the “company”—and wish employment there no more.”

298. Co-Defendant Food Service Director Hillary Gallagher’s **conduct**—or **personality**—is **contentious, strifeful, reproachful**,—and **lacks any possibility**—of **producing**—a **favorable, welcoming, and productive work environment**,—but **only**—a **work environment**—of **chaos**—and **havoc**—that will bring wherever she works—to ruination.

299. On March 24, 2023, at **approximately 1:50 PM**, after returning from **lunch**,—Co-Defendant Supervisor Darryl Hines brought Plaintiff—an **Ozzi To-Go-Box-Program instruction** with—a **revised date**—of **August 31, 2022**,—a **copy**—of the **same instruction** Co-Defendant Location Manager Shenitha Dupree—and Co-Defendant Food Service Director Hillary Gallagher secretly placed at—the registers on—the register wall hooks during—the East Carolina University Spring Break (March 5, 2023-March 12, 2023),—which served only—as some managerial shenanigans scheme.

300. Co-Defendant Supervisor Darryl Hines informed Plaintiff—that Co-Defendant Food Service Director Hillary Gallagher had asked him—to give—the **Ozzi To-Go-Box Program instructions** with—a **revised date**—of **August 31, 2022**,—to Plaintiff,—and Plaintiff asked why?—Co-Defendant Supervisor Darryl Hines replied:—“she just told me—to give this—to you.”—Plaintiff

suspected some **managerial shenanigans** on —the part —Co- Defendant Food Service Director Hillary Gallagher.

301. Plaintiff wrote on— the Ozzi To-Go-Program instructions with —a revised date —of August 31, 2022, stating: — “this is an instruction insinuating” —that I didn’t know what I was doing —and needed guidance —to assist me in processing To-Go-Box-Meals. —I completely —and thoroughly understand —the “To-Go-Box-Program instructions” —and had —the Ozzi To-Go-Box Program instructions with— a revised date —of August 31, 2022, returned —to Co-Defendant’s Location Manager Shenitha Dupree’s office.

302. Plaintiff wrote on —the Ozzi To-Go-Box Program instructions with— a revised date —of August 31, 2022, returned —to Co-Defendant Location Manager Shenitha Dupree’s office: — “the second (2nd) register, — in which Senior Cashier Debbie Daniels work —is broken —and incapable —of performing —the Ozzi Digital Token function, —and therefore does not receive —the “Low Balance” message —nor any other messages.”

303. On March 24, 2023, later that day, Plaintiff saw Co-Defendant Food Service Director Hillary Gallagher— and asked: “why did you have Darryl give me these instructions?” — Co-Defendant Food Service Director Hillary Gallagher arrogantly replied: — “Mary Rhodes just provided these” —and I wanted you to have them,” —which was obviously —an outright lie —and unworthy —of any credence whatsoever. —Plaintiff had not been provided these instructions until after —the East Carolina University Spring Break (March 5, 2023-March 12, 2023) —that was secretly placed on —the register wall hooks.

304. On Thursday March 30, 2023, there was— a sheet with 15 email addresses —and names left— at Plaintiff’s register —and Plaintiff inquired —of Co-Defendant Supervisor Darryl Hines asking: — “what is this sheet for?” —He replied: — “I don’t know.” —Plaintiff gave —the sheet with 15 email addresses— and names —to Co-Defendants Supervisor Darryl Hines— and asked him —to go —and inquire —of Co-Defendant Location Manager Shenitha Dupree about —the sheet —and its purpose.

305. Co-Defendant Supervisor Darryl Hines returned —to Plaintiff’s register — and stated: — “Dupree said you don’t have to worry about it.” — Plaintiff asked Co-Defendant Supervisor Darryl Hines —to give —the sheet with 15 email addresses— and names back —and Co-Defendant Supervisor Darryl

Hines returned it back —to Plaintiff —and Plaintiff informed Co-Defendant Supervisor Darryl Hines —that Plaintiff would inquire —of Co-Defendant Food Service Director Hillary Gallaugher about —the sheet with 15 email addresses —and names— of its purpose.

306. Plaintiff called Co-Food Service Director Hillary Gallagher —to Plaintiff's register —and inquired about —the sheet with 15 email addresses —and names—and of its purpose.—Co-Food Service Director Hillary Gallaugher said: — “give it to me,—you don't need it,— “Ramadan is over.” —Plaintiff gave Co-Defendant Food Service Director Hillary Gallaugher —the sheet with 15 email addresses— and names,—and she took it —and eliminated it from being— a required continued Cashier's service.

307. Plaintiff not knowing about Ramadan performed—a personal inquiry —and found —that Ramadan was—a scared religious period in—the ninth (9th) month —of the Muslim year, during—which strict fasting—is observed—from sunrise to sunset,—from the time in—the morning when—the sun appears,—or full daylight arrives,—to the time in—the evening when—the sun disappears,—or daylight fades away.

308. On Thursday March 30, 2023, Plaintiff discovered— that Ramadan started—on March 22, 2023, —and ended—on April 21, 2023, —which meant—that Co-Defendant Food Service Director Hillary Gallagher flat-out lied about Ramadan — having ended— and that Co-Defendant Food Service Director Hillary Gallagher's motivation —for removing —sheet with 15 email addresses —and names was—a racial racist white attack against Muslims; — which was a discontinuation —of providing observance service —to Muslim students 23 days before Ramadan officially ended.

309. On Thursday March 30, 2023, Co-Defendant Food Service Director Hillary Gallagher's —removal —of the sheet with 15 email addresses —and Muslim names was—a blatant racist white act —of “xenophobic” (a racially motivated act —of fear, contempt,—and disrespect —of strangers, foreigners,—or immigrants —of color,—or anything designated— as foreign —or immigrant).

310. Co-Defendant Food Service Director Hillary Gallagher —has repeatedly —and publicly manifested —the racist white attributes of: — (1) using racial slurs —and other hurtful —and/or hateful language, — (2) negative emotional reactions —to blacks —and other people —of color,—and

(3) white supremacy (the belief —that white people constitute —a superior race —and should therefore dominate society, typically —to the exclusion —or detriment —of other racial —and ethnic groups).

311. Co-Defendant Food Service Director Hillary Gallagher lacks honesty —and integrity —and any action taken against Plaintiff —and/or any other person (e.g., Defendant Chef Deva Pickens) —must be taken with suspect (something without proof) — and therefore highlighting her credibility —as basically unacceptable —or uncredible (not worthy of credence).

312. On Tuesday April 4, 2023, Co-Defendants Supervisor Darryl Hines —who operates from —the middle —of the fence —and swings his attention —and support —to whichever side of —of the fence —that favors his interests came —to Plaintiff— and just started complaining about Defendant Omelet\Expo Station Cook Charlotte Ross stating: — “she always complaining about being sick —and almost about to pee on herself,” —which was a personal health issue —that Co-Defendant Supervisor Darryl Hines shouldn’t have been talking about —and sharing with anyone.

313. On Tuesday April 4, 2023, later that day, Co-Defendant Supervisor Darryl Hines—had placed Defendant Senior Cashier Debbie Daniels at —the Omelet\Expo Station —to relieve Defendant Omelet\Expo Station Cook Charlotte Ross. — At approximately 10:20 am Defendant Chef Eric Robinson relieved Defendant Senior Cashier Debbie Daniels— and Co-Defendant Supervisor Darryl Hines placed Defendant Senior Cashier Debbie Daniels —at some other place in —the Todd Dining Hall— because of excessive employees’ shortages.

314. On Tuesday April 4, 2023, later that day, Defendant Senior Cashier Debbie Daniels— was unavailable —to relieve Plaintiff —as necessary —for bathroom breaks —and Plaintiff’s lunch break and— to assist Plaintiff —in reducing —the long lines— of students, faculty members, —and other customers needing —to be processed in—at the registers —to eat. Both Co-Defendant Location Manager Shenitha Dupree and Co-Defendant Food Service Director Hillary Gallagher saw Plaintiff struggling —to process —the long lines —and deliberately allowed— Plaintiff’s struggle —to continue before finally sending— Defendant Sanitation Worker Kalveion Edwards —to help with —the processing.

315. Defendant Sanitation Worker **Klevion Edwards** is—a young good, decent,—and **moral employee**—of Christian principles—who does what he's assigned—by Co-Defendant Supervisor Darryl Hines, his immediate supervisor,—and Co-Defendant Location Manager Shenitha Dupree,—and Co-Defendant Food Service Director Hillary Gallagher—to keep his job—to financially provide—for himself.

316. Defendant Sanitation Worker **Klevion Edwards** is—a Sanitation Worker—and **knows absolutely nothing**—the Micro Oracle Register processing system—but only choosing—the appropriate meal—and swiping—the One Card—to process—the chosen meal.—Defendant Sanitation Worker **Klevion Edwards**—is completely—and totally ignorant—of credit card, cash, Group,—and To-Box-Box-Meal register transactions processing just—as all other employees—that Co-Defendant Supervisor Darryl Hines,—and Co-Defendant Location Manager Shenitha Dupree,—and Co-Defendant Food Service Director Hillary Gallagher place—at the registers with—Co-Defendant Director of Operations—and Co-Defendant Residential District Director Kelvin Tarukwasha approvals.

317. The deliberate carelessness—and recklessness—of placing untrained—and unqualified Cashiers—at the registers—is inexcusable—and constitutes gross negligence;—which is exactly—the primary reason—of the Ozzi-To-Go-Box Program instructions—and its appropriate processing disappearing into—the abyss;—because management miserably failed training—and qualifying employees placed at—the registers—to be knowledgeable—and effective Cashiers.

318. Defendant Cashier Debbie Daniels's proven failures—of understanding—and implementing “Ozzi To-Go-Box Program instructions” processing—and **Group Rate** processing clearly shows—the failures—of all other Defendant employees placed on—the registers—to perform Cashier register processing.—This extreme failure management—has sought—to hide—and keep hidden forever.

319. Co-Defendant Location Manager Shenitha Dupree,—and Co-Defendant Food Service Director Hillary Gallagher,—and Co-Defendant Director of Operations Thomas Bedwardii,—and Co-Defendant Residential District Director Kelvin Tarukwasha—all engaged—in protected concerted activity restricted—by Section 7—of the National Labor Relations Act,—in particularly—the willful neglect—and failure—to perform job duties—as

described Aramark Employee Handbook, —Standards of Conduct /Progressive Discipline, —published July 2022.

320. On Tuesday April 4, 2023, Plaintiff informed Defendant Chef Eric Robinson—that Plaintiff needed his lunch break,—but most importantly had an emergency need—of going—to the bathroom.—Defendant Chef Eric Robinson replied:—“I will go—and let Dupree know.”—Even though Co-Defendant’s Supervisor Darryl Hines—was Plaintiff’s immediate supervisor, Defendant Chef Eric Robinson chose—to bypass—Plaintiff’s immediate Supervisor—Co-Defendant Darryl Hines—and go directly—to Co-Defendant Location Manager Shenitha Dupree.

321. On Tuesday April 4, 2023, Co-Defendant Location Manager Shenitha Dupree referred Plaintiff’s request—for his lunch break,—and most importantly—Plaintiff’s emergent need—of going—to the bathroom—to Co-Defendant Supervisor Darryl Hines—who took his time coming—to Plaintiff while Plaintiff—forced himself holding his water—to keep from urinating on himself.

322. On Tuesday April 4, 2023, Co-Defendant Supervisor Darryl Hines approached Plaintiff with—an antagonistic, hostile,—unsympathetic attitude,—and the closer Co-Defendant Supervisor Darryl Hines came—to Plaintiff it—was apparent—that Co-Defendant Supervisor Darryl Hines would be confrontational,—which is probably—the reason Defendant Chef Eric Robinson chose—to bypass Co-Defendant Supervisor Darryl Hines—and go directly—to Co-Defendant Location Manager Shenitha Dupree.

323. Plaintiff frustrated stated—to Co-Defendant Supervisor Darryl: “you’ll have to do better than this.”—Co-Defendant Supervisor Darryl Hines replied:—“you’ll don’t have—to do nothing.”—Plaintiff profoundly frustrated—and angered replied:—“I need my lunch break”—and “I need to go to the bathroom.”—Co-Defendant Supervisor Darryl Hines unsympathetically—and disrespectfully replied:—“I don’t give—a damn if you pee on yourself;”—and stated it loudly into—the hearing—of other employees,—and without fear—of any consequences—or repercussions—for speaking profanely—to Plaintiff.

324. On Tuesday April 4, 2023, Co-Defendant Supervisor Darryl Hines exalted himself—to deliberately demean Plaintiff in—an inconsiderate, disrespectful, and nasty manner—as if having—the—reapproval—of

management —to do so. —Co-Defendant Supervisor Darryl Hines's words —and actions pierced Plaintiff's soul, —and Plaintiff called him —a bald ass. —Co-Defendant Supervisor Darryl Hines asked Plaintiff: —what did you say? —Plaintiff responded: “you heard exactly what I said”—and hurried —to the bathroom.

325. On Tuesday April 4, 2023, **four (4) Defendant employees heard —the verbal exchange between Plaintiff —and Co-Defendant Supervisor Darryl Hines, —and they were: (1) Dell, (2) Dedra, (3) Deja —and (4) Defendant's Senior Cashier Debbie Daniels, —who had returned —to the Omelet/Expo Station —to cook, —rather than —to her register —to relieve Plaintiff, —which clearly shows Co-Defendant Supervisor Darryl Hines's words —and actions implemented against Plaintiff —were done maliciously—and with managerial approval.**

326. On Tuesday April 4, 2023, **before going —to the bathroom —to Defendant employees (1) Dell, (2) Dedra, and (3) Deja, —and (4) Defendant Senior Cashier Debbie Daniels —Plaintiff stated: —“all of you are witnesses —to what was said.” —When Plaintiff returned from —the bathroom, —Defendant employees (1) Dell, (2) Dedra, and (3) Deja—informed Plaintiff—that Co-Defendant Supervisor Darryl Hines has already admitted — to Co-Defendant Location Manager Shenitha Dupree —that he said it.**

327. On Tuesday April 4, 2023, when Plaintiff told— Co-Defendant Location Manager Shenitha Dupree **what —Co-Defendant Supervisor Darryl Hines had said—in Co-Defendant Supervisor Darryl Hines's presence— Co-Defendant Location Manager Shenitha Dupree with —a smirky smile placed his hands on —Co-Defendant Supervisor Darryl Hines's shoulders —and asked him if he was alright.**

328. On or about Thursday April 6, 2023, Defendant Omelet /Expo Station Cook **Charlotte Ross informed Plaintiff —that Co-Defendant Supervisor Darryl Hines stated— to her: —“that fucking Mr. Larry, —he's always starting some god-dam shit. —I'm going— to get rid of his ass.”**

329. On or about Thursday April 6, 2023, Defendant's Grill Cook **Travon Williams informed Plaintiff —that Co-Defendant Supervisor Darryl Hines stated —to hm: —“I don't know what I did —to him. —That motherfucker— is fucking up shit. —That motherfucker gotta go. —I told “them” his ass gotta go.”**

330. Co-Defendant Former Food Service Director **Tara Perez**, —and Co-Defendant Location Manager **Shenitha Dupree**, —and Co-Defendant Food Service Director **Hillary Gallagher**, —and Co-Defendant Director of Operations **Thomas Bedwardii**, —and Co-Defendant Residential District Director **Kelvin Tarukwasha** —and Defendant's Senior Cashier **Debbie Daniels** —are the “them” —that Co-Defendant Supervisor Darryl Hines told Plaintiff had —to go! —That's —the “them!”

331. The “them” are —the ones along with himself —who allowed —Defendant Senior Cashier Debbie Daniels's broken Digital Token button—to remain unrepaired until April 9, 2023, —a period —of at least 9 months—and in — the cunning craftiness —of deceitful plotting conspired —a scheme —to hide Defendant Senior Cashier Debbie Daniels's register ever being broken —and to promote Co-Defendant Director of Operations Thomas Bedwardii's new phrase —that “a “register” is —is a “register” —to keep their miserable failure —of the “Ozzi-To-Go-Box Program processing” —a secret—and hidden forever.

332. Plaintiff believes himself being —a strong, bold, courageous —and intelligent black man, with —an unusual level —of resiliency —and steadfastness— that's hated —and feared —by any racist white person, —including Co-Defendant Food Service Director Hillary Gallagher— whom Plaintiff believes likened Plaintiff —to an Antebellum South black male buck —who needed —to be broken through —the process —of her intimidation —or coercing tactics — to induce fear —and bring Plaintiff —to humiliation —to conform —to her racist white will; —to which she failed miserably.

333. Co-Defendant Food Service Director Hillary Gallagher viewed Plaintiff—as an Antebellum South unbreakable black male buck—and profoundly despised —and hated Plaintiff —for not conforming —and being submissive —to her perceived racist white authority —and will; —and therefore sought desperately —to destroy Plaintiff —by any means possible.

334. Co-Defendant Food Service Director Hillary Gallagher tried continuously —and relentlessly —to have Plaintiff “say PLEASE” — to her— and Plaintiff vehemently refused, —which turned Co-Defendant Food Service Director Hillary Gallagher red in her face —and profoundly irritated —and aggravated her— to no concern —of Plaintiff —and Co-Defendant Food Service

Director Hillary Gallagher knew it —which irritated —and aggravated her —to even despise —hate Plaintiff —the more.

335. Co-Defendant Food Service Director Hillary Gallagher asked Plaintiff: — “why can’t you say PLEASE?” —Plaintiff replied: — “because I don’t want to.” —Co- Defendant Food Service Director Hillary Gallaugher with arrogance replied: — “just say PLEASE —when you ask for something.” — Plaintiff replied: — “I don’t have to say PLEASE” — and “especially to you.” — She replied: — “well, it is— the “right thing to do.” —Plaintiff replied: — “not to you” —and for the “reason you’re demanding that I do it.” —I’m not required —to say PLEASE to you,” —and “I will never say PLEASE to you.”

336. On Saturday April 8, 2023, Plaintiff via Defendant Aramark Hot Line reported — a Discrimination Complaint —and also reported —that Plaintiff had —a 101-page Defendant Aramark Hot Line Complaint —of age discrimination, discrimination, harassment, —and retaliation.

337. On Monday April 10, 2023, ECU faculty member Yu Frank Yang @ yangeceu.edu —approached Plaintiff with—a defiant —or confrontational attitude stating: — “every time I’ve come in —to get a To-Go-Box-Meal, — I’ve had problems with you.” —Plaintiff replied: — “every time you’ve come in you’ve had —to be shown how —to return your dirty To-Go-Box —to the Ozzi-To-Go- Box Machine. —I’ve asked you several times —to read —and follow instructions —and you’ve adamantly refused —to do so; —but rather have chosen —to keep asking for help every time you come —to me.”

338. On Monday April 10, 2023, while Plaintiff —was engaged in Confrontation —with ECU Faculty member Yu Frank Yangy @ yangeceu.edu, —while still in outrage, —Co-Defendant Food Service Director Hillary Gallagher came out —of her office— and ECU Faculty member Yu Frank Yangy @ yangeceu.edu asked Plaintiff: — “is that the manager?” — Plaintiff replied: — “yes;” —and ECU Faculty member Yu Frank Yangy @ yangeceu.edu immediately went —to Defendant Food Service Director Hillary Gallagher —and she took him to —the lobby —and began listening —to his outrage against Plaintiff.

339. On Monday April 10, 2023, Co-Defendant Food Service Director Hillary Gallagher was —so motivated —to take advantage —of this opportunity —to attack Plaintiff’s character —that Co-Defendant Food Service Director Hillary Gallagher went —and got Co-Defendants Residential District

Director Kelvin Tarukwasha —to join in listening —to Yu Frank Yangy @ yangechu.edu **outrage against Plaintiff.**

340. On Monday April 10, 2023, ECU Faculty member Yu Frank Yangy @ yangechu.edu—**outrage against Plaintiff had nothing** —to do with what Plaintiff **had done**—to him,—but rather, was—the direct result —of his own personal defiance —of not listening, reading, —and following instructions—and choosing —to blame Plaintiff—for his own personal failure. —There is **absolutely nothing** —that Yu Frank Yangy —could have told Co-Defendant Food Service Director Hillary Gallagher—concerning Plaintiff's customer service —that warranted —a customer service write-up against Plaintiff.

341. On Monday April 10, 20923, Plaintiff via email —to myhr@aramark.com Defendant Aramark Hot Line stated: — “This Complaint per attachment (101 pages)—is forwarded —in whole per guidance,—from HR Generalist Coordinator Austin upon my request, —for a way —or means —of filing my complaint in whole, —in lieu —of incrementally —as I have previously filed two (2) parts partially. —I know —that Todd Dining management— is seeking —to unjustly fire me —by some unjust reason— and/or reasons, —which former adverse actions —and today's adverse action clearly indicates.

342. Plaintiff **upon speaking** —with some other ECU Staff members after —the April 10, 2023, confrontational incident—with Yu Frank Yangy @ yangechu.edu —Plaintiff found —that Yu Frank Yangy @ yangechu.edu— **had created** —for himself —a bad reputation amongst his own ECU staff, —as ECU Staff member Tijani “TJ” Mohammed, PhD, Chairman Department of Technology Systems, College of Engineering and Technology @mohammedt@edu.edu—www.ecu.edu/Techsystems **informed** Plaintiff —and **provided all his information** —to Plaintiff to use him as— a character witness against Yu Frank Yangy @ yangechu.edu.

343. PhD, Chairman Department of Technology Systems, College of Engineering and Technology, ECU Staff member Tijani “TJ” Mohammed— also **stated** —to Plaintiff —that his partner —and other ECU Staff member— are willing —to witness against Yu Frank Yangy—and to witness Plaintiff's excellent quality service —to them—and other students, —and customers.— Plaintiff **provided** Co-Defendant Food Service Director Hillary Gallagher— ECU Staff member Tijani “TJ” Mohammed's contact information.

344. Co-Defendant Food Service Director Hillary Gallagher wasn't concerned about —Plaintiff's accuser Yu Frank Yangy's @ yangecu.edu credibility, —but only Plaintiff's demise —and destruction.

345. Co-Defendant Food Service Director Hillary Gallagher's —**Employment Actions/Disciplinary Notice against Plaintiff** —issued April 12, 2023, —the “Brief Summary states: —“The complaint has been investigated, and it has been determined that your service did not meet the standards set by both Aramark and ECU.” In the **Hourly Customer Service Policy** it states: “I understand that if I receive a complaint from a customer for customer service I provided, **an investigation will take place** and could result in disciplinary action, up to and including termination.”

346. Co-Defendant Food Service Director Hillary Gallagher never performed—the required investigation before issuing Plaintiff —the April 12, 2023, Employment Actions/Disciplinary Notice. —Co-Defendant Food Service Director Hillary Gallagher didn't even attempt —to perform — a fair, impartial, —and adequate investigation.

347. Co-Defendant Food Service Director Hillary Gallagher tried continuously —and relentlessly —to have Plaintiff “say PLEASE” — to her— and Plaintiff vehemently refused, —which turned Co-Defendant Food Service Director Hillary Gallagher red in her face —and profoundly irritated —and aggravated her— to no concern —of Plaintiff —and Co-Defendant Food Service Director Hillary Gallagher knew it —which irritated —and aggravated her —to even despise —hate Plaintiff —the more.

348. On Wednesday April 12, 2023, while in Co-Defendant Location Manager Shenitha Dupree's **office** —to receive Co-Defendant Food Service Director Hillary Gallagher 's **Employment Actions/Disciplinary Notice**—that falsely accused Plaintiff —of not following all components —of the **Hourly Customer Service Policy** —which includes following— the **Aramark standards** —of **WEST**, —the **Aramark customer service model** (Welcome-Engage-Smile-Thank) — Co-Defendant Food Service Director Hillary Gallagher attempted forcing Plaintiff —to “say PLEASE” —to her.

349. On Wednesday April 12, 2023, Plaintiff asked Co-Defendant Food Service Director Hillary Gallagher — for the **clipboard** —that was **near her** —on Co-Defendant Location Manager Shenitha Dupree's **desk**, — and Co-Defendant Food Service Director Hillary Gallagher arrogantly told Plaintiff: — “say

PLEASE,” —and Plaintiff refused —to “say PLEASE” — and Co-Defendant Food Service Director Hillary Gallagher refused handing Plaintiff —the clipboard. —Instead, Co-Defendant Location Manager Shenitha Dupree handed Plaintiff —the clipboard.

350. On Wednesday April 12, 2023, Plaintiff via email —to myhr@aramark.com stated: **ATTENTION: INVESTIGATOR DUSTIN—HRC2267580 and HRC2275724—CONTINUED DISCRIMINATION, HARRASSMENT, AND RETALIATION—My plea for immediate help! Attachment pertaining to Hillary Gallagher!**

351. On Saturday April 15, 2023, Plaintiff via email —to myhr@aramark.com stated: **ATTENTION: INVESTIGATOR DUSTIN states: —“The attachment —is forwarded —as additional evidence —of management’s carelessness —and recklessness in providing proper instructions, —and management’s out— of control onslaught —of adverse actions against me.**

352. On Monday April 17, 2023, Plaintiff via email —to myhr@aramark.com stated: **ATTENTION: INVESTIGATOR DUSTIN states: —“The attachment —MYAccuser — is forwarded — for your immediate review — and action.**

353. On Wednesday April 19, 2023, Defendant Grill Cook Shaquan T (a young black man) —informed Plaintiff —that Co Defendant Food Service Director Hillary Gallagher came —to him after he had served — a white student —and stated: —“if I had been —the student, —I would have thrown it back in your face.”

354. On Friday, April 21, 2023, Plaintiff noticed some unusual irregularities occurring—as Co-Defendant Supervisor Darryl Hines came —to Plaintiff’s register —and stated: —“you need to move to —the back register.” —The back register is Defendant Senior Cashier Debbie Daniels’s register, —a register from —which Plaintiff had never worked since starting at —the Todd Dining Hall —on August 19, 2022. —Therefore, this move was—a major irregularity —that threw up —a “triple red flag,” — and a big question —of why?

355. On Friday, April 21, 2023, Plaintiff asked Co-Defendant Supervisor

Darryl Hines: “why am I being moved to—the back register?” Co-Defendant Supervisor Darryl Hines replied: — “because I chose —to do so.” —Plaintiff knew —that Co-Defendant Supervisor Darryl Hines had lied—and that Co-Defendant Supervisor Darryl Hines had been directed —to move Plaintiff —to the back register. —The move constituted —a vitally important step—management’s cover-up scheme.

356. On Friday April 21, 2023, at 9:22 am Plaintiff asked —Co-Defendant Director of Operations Thomas Bedwardii this question: — “why was I moved —to a register —that I’ve never worked from before? ” —Co-Defendant Director of Operations Thomas Bedwardii replied: — “I don’t know, —but a register is—a register,” —which threw up— a triple red flag —to Plaintiff; —because a “register” is—a “register” just became —a true statement —on Sunday, April 9, 2023, after —Defendant’s Senior Cashier Debbie Daniels’s broken Ozzi Digital Token button —was repaired, —after remaining —at least 9 months unrepaired —or broken.

357. On Friday April 21, 2023, Plaintiff replied to Co-Defendant Director of Operations Thomas Bedwardii’s new phrase — “a register is—a register” stating: — “I don’t want— to work from —a broken register. ” —Co-Defendant Director of Operations Thomas Bedwardii replied: — “what’s broken about —the register? —Which threw up another triple red flag —to Plaintiff because Co-Defendant Director of Operations Thomas Bedwardii never mentioned —to Plaintiff Defendant Senior Cashier Debbie Daniels’s broken register had been fixed; —but only saying —that a register is—a register. ”

358. On Friday April 21, 2023, Plaintiff replied: “—the Ozzi Digital Token button —has “been broken since I started work here” —on August 19, 2022; —however, “I heard it was fixed” —by ECU Business Coordinator Mary Rhodes. ” —Co-Defendant Director of Operations Thomas Bedwardii replied: — “then it isn’t broken, —a “register” is—a “register”. ” —Co-Defendant Director of Operations Thomas Bedwardii’s insistence —of continuous repeating —to Plaintiff —his new phrase —that a “register” is—a “register” —which was coined —of himself is—a deceptive phrase —to make Defendant Aramark believe —that this has always been —to put —the —at least 9 months broken Ozzi Digital Token button beneath —the earth —as never existing.

359. On Friday April 21, 2023, Co-Defendant Director of Operations Thomas Bedwardii continued replying stating: — and if it’s broken, —then “we’ll call Mary Rhodes” —and “get it fixed,” —without ever conveying —to

Plaintiff—that Defendant Senior Cashier Debbie Daniels's broken register had been fixed,—which threw up another triple red flag.

360. On Friday April 21, 2023, Co-Defendant Director of Operations Thomas Bedwardii began pushing —Defendant Todd Dining Hall's management's "conspiracy theory"—that a "register" is —a "register" — to debunk Plaintiff's claim of— an "at least 9 months prolonged broken register" —and instead promote —the deceptive —and misleading phrase —that a "register" is —a "register," —which only became true —on July 9, 2023.

361. On Friday April 21, 2023, Plaintiff via email —to myhr@aramark.com stated: **ATTENTION: INVESTIGATOR DUSTIN states:** — LARRY F. MURPHY, HR CASE #2267580, ADDITIONAL INFORMATION OF MANAGEMENT'S NEGLIGENCE/VIOLATIONS—To: **MYHR Human Resources Manager Dusin Marty, Assigned Investigator, Philadelphia, Pennsylvania—Subject: CASHIER'S POSITION DESCRIPTION (PD)**

362. Co-Defendant Food Service Director Hillary Gallagher wasn't concerned about —Plaintiff's accuser Yu Frank Yangy's @ yangecu.edu credibility, —but only Plaintiff's demise —and destruction.

363. Co-Defendant Food Service Director Hillary Gallagher's —**Employment Actions/Disciplinary Notice against Plaintiff —issued April 12, 2023,** —the "**Brief Summary states:** — "The complaint has been investigated, and it has been determined that your service did not meet the standards set by both Aramark and ECU." In the **Hourly Customer Service Policy** it states: "I understand that if I receive a complaint from a customer for customer service I provided, **an investigation will take place** and could result in disciplinary action, up to and including termination."

364. Co-Defendant Food Service Director Hillary Gallagher never performed—the required investigation before issuing Plaintiff —the **April 12, 2023, Employment Actions/Disciplinary Notice.** —Co-Defendant Food Service Director Hillary Gallagher didn't even attempt —to perform — a fair, impartial, —and adequate investigation.

365. On Friday, April 21, 2023, Plaintiff noticed some unusual irregularities occurring—as Co-Defendant Supervisor Darryl Hines came —to Plaintiff's register —and stated: — "you need to move to —the back register."

—The back register is Defendant Senior Cashier Debbie Daniels's register, —a register from —which Plaintiff had never worked since starting at —the Todd Dining Hall —on August 19, 2022. —Therefore, this move was —a major irregularity —that threw up —a “triple red flag,” —and a big question —of why?

366. On Friday, April 21, 2023, Plaintiff asked Co-Defendant Supervisor Darryl Hines: “why am I being moved to— the back register?” Co-Defendant Supervisor Darryl Hines replied: —“because I chose —to do so.” —Plaintiff knew —that Co-Defendant Supervisor Darryl Hines had lied—and that Co-Defendant Supervisor Darryl Hines had been directed —to move Plaintiff —to the back register. —The move constituted —a vitally important step— management's cover-up scheme.

367. On Friday April 21, 2023, at 9:22 am Plaintiff asked —Co-Defendant Director of Operations Thomas Bedwardii this question: —“why was I moved —to a register —that I've never worked from before?” —Co-Defendant Director of Operations Thomas Bedwardii replied: —“I don't know, —but a register is —a register,” —which threw up — a triple red flag —to Plaintiff; —because a “register” is —a “register” just became —a true statement —on Sunday, April 9, 2023, after —Defendant's Senior Cashier Debbie Daniels's broken Ozzi Digital Token button —was repaired, —after remaining —at least 9 months unrepaired —or broken.

368. On Friday April 21, 2023, Plaintiff replied to Co-Defendant Director of Operations Thomas Bedwardii's new phrase —“a register is —a register” stating: —“I don't want — to work from —a broken register.” —Co-Defendant Director of Operations Thomas Bedwardii replied: —“what's broken about —the register? —Which threw up another triple red flag —to Plaintiff because Co-Defendant Director of Operations Thomas Bedwardii never mentioned —to Plaintiff Defendant Senior Cashier Debbie Daniels's broken register had been fixed; —but only saying —that a register is —a register.”

369. On Friday April 21, 2023, Plaintiff replied: “—the Ozzi Digital Token button —has “been broken since I started work here” —on August 19, 2022; —however, “I heard it was fixed” —by ECU Business Coordinator Mary Rhodes.” —Co-Defendant Director of Operations Thomas Bedwardii replied: —“then it isn't broken, — a “register” is — a “register.” —Co-Defendant Director of Operations Thomas Bedwardii's insistence —of continuous repeating —to Plaintiff —his new phrase —that a “register” is —a “register” —which was

coined —of himself is —a deceptive phrase —to make Defendant Aramark believe —that this has always been —to put —the —at least 9 months broken Ozzi Digital Token button beneath —the earth —as never existing.

370. On Friday April 21, 2023, Co-Defendant Director of Operations Thomas Bedwardii continued replying stating: — and if it's broken, —then “we'll call Mary Rhodes” —and “get it fixed,” —without ever conveying —to Plaintiff — that Defendant Senior Cashier Debbie Daniels’s broken register had been fixed, —which threw up another triple red flag.

371. On Friday April 21, 2023, Co-Defendant Director of Operations Thomas Bedwardii began pushing —Defendant Todd Dining Hall’s management’s “conspiracy theory” —that a “register” is —a “register” — to debunk Plaintiff’s claim of— an “at least 9 months prolonged broken register” —and instead promote —the deceptive —and misleading phrase —that a “register” is —a “register,” —which only became true —on July 9, 2023.

372. On Monday April 24, 2023, Plaintiff because —of having ongoing problems —with Defendant management ensuring Plaintiff could go to —the bathroom as needed; —Plaintiff went —to Co-Defendant Location Manager Shenitha Dupree’s office —and stated: — “I don't appreciate management taking my need —of going to —the bathroom as —a plaything.” — Co-Defendant Location Manager Shenitha Dupree replied: — “Mr. Larry, no one —is playing about you going to —the bathroom.” — Plaintiff did not respond, — but only walked away knowing —that Co-Defendant Location Manager Shenitha Dupree had not taken —Plaintiff’s need —of going to —the bathroom seriously. — because of Plaintiff’s continued difficulty —of getting relief —as needed —for going to —the bathroom.

373. Such inconsideration, —by Co-Defendant Location Manager Shenitha Dupree —and Co-Defendant Food Service Director Hillary Gallagher, especially and particularly toward —an elderly person—and disable veteran —of the United States Armed Forces —is profoundly disrespectful —to Plaintiff and —the United States government's laws —that provide protection —for veterans —with disabilities under Title 1—of the Americans with Disabilities Act (ADA) —and the Employment —and Reemployment Rights Act (USERRA); “just blatantly disrespectful!”

374. The Ozzi-To-Go-Box processing was —the control mechanism—of

the Ozzi-To-Go-Box- Program's 3 Limited To-Go-Box Meals per week,— which could only be ran through —a register with —a functioning Ozzi Digital Token button —that was not available —at Defendant Senior Cashier Debbie Daniels's register,—and had been unavailable — for at least 9 months until April 9, 2023. —This was management's inescapable profound dilemma —that Plaintiff had surfaced —to attention that —was profoundly opposed —and hated.

375. Defendant Cashier Amber Morse is —a good, decent, —and moral person —who started work at —the Todd Dining Hall —in September 2022; — who also like Plaintiff —was not provided any training prior —to beginning her Cashier job. —Defendants Cashier Amber Morse— who also like Plaintiff —was not provided any register instructions— including, but not limited —to the “Ozzi-To-Go-Box instructions” with —a revised date —of August 31, 2022.

376. Defendant Cashier Amber Morse was—the only Defendant employee hired as—a Cashier besides Plaintiff —and Defendant Senior Cashier Debbie Daniels —who were placed at—the Todd Dining Hall registers. —Yet, after being hired—by Co-Defendant Location Manager Shenitha under verbal accommodations —there were agreed upon between—the two (2) —that included sitting at —the register as—Plaintiff was sitting —and drinking water—because of an existing health condition—was honored —by Co-Defendant Location Manager Shenitha Dupree until —the arrival —of Co-Defendant Food Service Director Hillary Gallager —on or about January 19, 2023, —who challenged —the verbal agreement in—a malicious manner.

377. Defendant Cashier Amber Morse —was excited about her Cashier Job— a possessed —a willingness —to listen —and to learn —which provided Plaintiff a person —that Plaintiff could properly train —and develop up —to Plaintiff's knowledge —and understanding —of the Micro Oracle Register System, —which Plaintiff —was honored in doing—with such —an excellent Cash student —of learning.

378. Plaintiff taught Defendant Cashier Amber Morse —the Ozzi-To-Go-Box processing— from Plaintiff's register —and then showed Defendant Cashier Amber Morse —the reason —Defendant Cashier Amber Morse— was unable —to properly implement —the Ozzi-To-Go-Box processing —from Defendant Senior Cashier Debbie Daniels's register, which— was the register from which —Defendant Cashier Amber Morse worked.

379. Plaintiff taught Defendant Cashier Amber Morse —because of Senior Cashier Debbie Daniels's broken Ozzi Digital Token button —to process **Ozzi-To-Go-Box-Meal** — by bypassing —the broken Ozzi Digital Token button —and going directly to— the regular To-Go-Box-Meal processing of: — (1) choosing —the appropriate To-Go-Meal (Breakfast, Lunch, Afternoon NP, or Dinner), — (2) then tabbing —the Yellow Meals tab, —and (3) the swiping the **One Card**, —to complete —the transaction, —which is —the process Defendant Senior Cashier Debbie Daniels —has implemented —for at least 9 months —at her register before ECU Business Coordinator Mary Rhodes repaired it on April 9, 2023.

380. Co-Defendant Former Food Service Director **Tara Perez**, —and Co-Defendant Location Manager **Shenitha Dupree**— and Co-Defendant Food Service Director **Hillary Gallagher**, — and Co-Defendant Director of Operations **Thomas Bedwardii**, —and Co-Defendant Residential District Director **Kelvin Tarukwasha** —all abused Defendant Cashier Amber Morse's **register login**—by allowing others to work —from Defendant Senior Cashier Debbie Daniels's **register under**—Defendant Cashier Amber Morse's **name** and —**Employee ID login**.

381. Defendant employees forced —to worked under Defendant Cashier **Amber Morse's name** —and **Employee ID had no knowledge** —and **understanding**— of Micro Register processing —and Defendant Cashier Amber Morse— was always forced, —to stand at —the register while off —the clock —and eating her meal at —the register, —to show Defendant employees how— to use —the register; —and to answer questions like: — (1) “we're in dinner, right? — (2) How do I process —the To-Go-Box meal? (3) How do I charge— the student for —the To-Go-Box? — (4) How Do I input —a Banner ID? —The entire Todd Management staff knew this was happening, —and allowed it —to perpetuate itself.

382. Defendant **management staff** —was often too busy —to show employees— that Defendant management staff sent —to relieve Defendant Cashier Amber Morse —and Defendant Cashier Amber Morse —was forced —to attempt training unqualified employees —while off the clock —by standing at— the register with —a plate —of food while eating —which was supposed to —be —an “uninterrupted lunch break;” —and management abused its power —and authority —and allowed it —to perpetuate itself.

383. Co-Defendant Location Manager Shenitha Dupree's —and Co-

Defendant Food Director Hillary Gallagher's "Verbal Revocation of Banner ID Usage" — "appears being" — a "personal desire," — "rather than" — an "official revocation."

384. Defendant Cashier Amber Morse after — Co-Defendant Location Manager Shenitha Dupree's — and Co-Defendant Food Service Director Hillary Gallagher's — "verbal revocation" — of "Banner ID usage," — that Defendant Cashier Amber Morse several times — with Defendant employees operating under — Defendant Cashier Amber Morse's name — and Employee ID caught — Defendant management showing — Defendant employees how — to take — and process Banner IDs. — which was against — the verbal revocation.

385. Defendant Cashier Amber Morse confronted — Defendant management — and asked: — "please don't put in — a Banner ID under my name." — Defendant management replied: — "oh, we aren't taking Banner ID anymore?" — Defendant Cashier Amber Morse replied: — "no, Hillary told me not — to take Banner IDs." — Defendant management replied: — "it's fine" — and proceeded — to input — the Banner ID under Defendant Cashier Amber Morse's name — and Employee ID.

386. Co-Defendant Location Manager Shenitha Dupree's — and Co-Defendant Food Director Hillary Gallagher's — "verbal revocation" — of "Banner ID usage," — "strongly appears applying" — to Defendant Cashier Amber Morse — and Plaintiff — and not — to others — as seen above — which makes — the "verbal revocation" — of "Banner ID usage" — as both confusing — and hypocritical.

387. Defendant Cashier Amber Morse — on one (1) occasion experienced — a student coming — to Defendant Cashier Amber Morse's register — and stating: — "I lost my One Card, — is there any way — that I will be able — to eat? — "I have my Banner ID." Defendant Cashier Amber Morse gave — the student her sincere apologies — and stated: — "No, I'm sorry, — unfortunately I'm unable t—o take banner IDs. — I can let you pay — with cash — or with credit card however." — The student then nodded in understanding — and stated: — "Oh okay, well thank you; — I'm going — to go somewhere else then."

388. Co-Defendant Food Service Director Hillary Gallagher at — that time was talking — with Co-Defendant Residential District Director Kelvin

Tarukwasha at —the **Todd Dining Hall** door’s entrance —in front —of the registers —and overheard —Defendant Cashier Amber Morse’s conversation with —the student, and— as the student was leaving —the **Todd Dining Hall**, —Co-Defendant Food Service Director **Hillary Gallagher called** —the student back —to he register —and took —the opportunity —to exalt herself stating: — “oh, don’t worry, —I will help you; —what’s your Banner ID?

389. Defendant Cashier **Amber Morse** being shocked —and confused —at Co-Defendant Food Service Director Hillary **Gallagher’s invitation**— to taking —the student’s Banner ID —the looked —at Co-Defendant Food Service Director Hillary **Gallagher** —and stated: — “I thought we weren’t supposed —to take Banner IDs.” —Co-Defendant Food Service Director Hillary **Gallagher** replied: — “We aren’t —but we want —to make sure —that we take care of —the students.”

390. Co-Defendant Food Service Director Hillary **Gallagher** proceeded taking —the student’s Banner ID under —Defendant Cashier **Amber Morse’s name** —and Employee ID. —Then, white bigot —and narcissist Co-Defendant Food Service Director Hillary **Gallagher smiled** at —the student, —and apologized —to the student —for Defendant Cashier **Amber Morse trying** —to send her away without processing her Banner ID. —Afterward, the two (2), —Co-Defendants Food Service Director Hillary **Gallagher** —and Co-Defendant Residential District Director **Kelvin Tarukwasha** just walked away as —if Co-Defendant Food Service Director **Hillary Gallagher had provided** —a noteworthy service—by violating her own “verbal revocation” — of “Banner ID usage.”

391. Co-Defendant Food Service Director Hillary **Gallagher’s “verbal revocation** —of Banner ID usage” was— an invalid —and unofficial revocation —of the written permission —or authorization per “Note to Celia” —in January 2023 according— to the “First Two (2) Weeks of Instructions” —that allowed students —to eat throughout —the semester —by providing Banner IDs.

392. Co-Defendant Food Service Director Hillary **Gallagher’s “verbal revocation** —of Banner ID usage” only applied —to those whom Co-Defendant Food Service Director Hillary **Gallagher chose applying it to**, —while giving authorization —of usage— to those whom Co-Defendant Food Service Director Hillary **Gallagher selectively chose** —to do so, —which excluded Defendant

Cashier Amber Morse —and Plaintiff; —which wasn't just discriminatory, —but also an unauthorized —and unofficial action.

393. On Thursday April 27, 2023, Co-Defendant Food Service Director **Hillary Gallagher**, —and Co-Defendant Location Manager **Shenitha Dupree**, with —the approvals—of Co-Defendant Director of Operations **Thomas Bedwardii**, —and Co-Defendant Residential District Director **Kelvin Tarukwasha** poured out upon Plaintiff —the most frustrating, irritating, unwelcoming, stressful dosage —of discrimination, harassment, —and retaliation —of Plaintiff's work career, —to make sure —that Plaintiff felt their wrath.

394. On Thursday April 27, 2023, **sixty-seven (67) days** —or **2 months** —and **1 week after** Plaintiff's work schedule had been cut another ½ hour per day, — that now equated —to 40 hours monthly —on **Monday February 20, 2023**, —and after Plaintiff's return —from taking bereavement leave —beginning **Thursday February 16, 2023**, —and ending **Friday February 17, 2023**, —Co-Defendant Location Manager **Shenitha Dupree** —and Co-Defendant Food Service Director **Hillary Gallagher** —premeditatively, willfully, intentionally, purposefully —and deliberately failed —to ensure Plaintiff —had timely, proper, —and necessary relief —at Plaintiff's 3:00 PM shift's end.

395. On Thursday April 27, 2023, there's absolutely no excuse —for Todd Dining Hall management —to not have Plaintiff able —to exit his 3:00 PM shift's end —in a timely —and proper manner except —for managerial malicious intent. —Plaintiff should be relieved —from his register —in a timely manner before —the **3:00 PM shift end** —to perform Plaintiff's **Cashier's Verification Deposit Slip** —and clock-out —and go home —at Plaintiff's 3:000 PM shift end.

396. On Thursday April 27, 2023, —and every day prior — to Thursday April 27, 2023, and after Monday February 20, 2023, —Co-Defendant Location Manager **Shenitha Dupree** —and Co-Defendant Food Service Director **Hillary Gallagher** —have made — a scorn —or mockery —of Plaintiff's 3:00 PM work ending schedule —with malicious intent.

397. Co-Defendant Location Manager **Shenitha Dupree's** —and Co-Defendant Food Service Director **Hillary Gallagher's** conducts —of malicious intent —to Plaintiff deserves —the strongest —of condemnation. —Every Defendant supervisor coming —to Plaintiff's register —to close —Plaintiff's

cash register drawer came with —the same scornful and disrespectful excuse:
— “Mr. Larry, I don’t have anyone scheduled —to relieve you.”

398. On Thursday April 27, 2023, —and every day prior— to Thursday April 27, 2023, and after Monday February 20, 2023, —Co-Defendant Location Manager Shenitha Dupree —and Co-Defendant Food Service Director Hillary Gallaugher—both knew —that Plaintiff’s wife brought Plaintiff —to work on time —and picked Plaintiff up from work —at Plaintiff’s work ending shift on time; —and both disrespected Plaintiff —and Plaintiff’s wife unremorsefully.

399. On Thursday April 27, 2023, —and every day prior— to Thursday April 27, 2023, and after Monday February 20, 2023, —and Co-Defendant Food Service Director Hillary Gallaugher—would periodically flaunt herself before Plaintiff with— a smirky smile before exiting —the Todd Dining Hall’s lobby doors —to go home, knowing Plaintiff —was being forced —to work beyond Plaintiff’s scheduled 3:00 PM ending shift’s time.

400. On Thursday April 27, 2023, was —the most disgraceful —and disrespectful scorn —of Plaintiff’s 3:00 PM ending work shift —by Co-Defendant Location Manager Shenitha Dupree —and Defendant Food Service Director Hillary Gallaugher. —Defendant Supervisor Clarence Phillips came— to Plaintiff’s register —and stated: — “Mr. Larry I don’t have anyone to relieve you.” —Plaintiff responded: — “here we go again, my wife —is waiting for me —as she normally does.”

401. On Thursday April 27, 2023, —Defendant Supervisor Clarence Phillips responded: —Mr. Larry I’m sorry, but —an employee —is not scheduled —to come in until 4:00 PM. —Plaintiff responded: — “this is disrespectful —and totally uncalled for, —and there’s no reason —for this —to be repeating itself over —and over —and again —and again.” —Defendant Supervisor Clarence Phillips responded: — “if you would just sign —your Cashier’s Verification Deposit Slip, —I’ll do —the counting for you, —and you can just go.” —Plaintiff responded: — “that’s inappropriate —and against policy, —and I vehemently refused doing —that when asked before.”

402. On Thursday April 27, 2023, —Defendant Supervisor Clarence Phillips responded: — “then what are we going to do?” —Plaintiff responded: — “I’ll just wait until —the scheduled person comes in —at 4:00 PM, —so that I can perform my Cashier’s Verification Deposit Slip —as required.”

403. Defendant Supervisor Clearance Phillips left—Plaintiff's register supposingly awaiting—the scheduled 4:00 PM employee arrival.—At 4:00 PM Defendant Supervisor Clerance Phillips returned—to Plaintiff's register—and stated: —“Mr. Larry,—the 4:00 PM scheduled employee called out.”

404. On Thursday April 27, 2023,—Plaintiff responded: —“I'm not leaving my register—not signing my Cashier's Verification Deposit Slip—until my cash verification count has been performed—and completed as required.”—Defendant Supervisor Clearance Phillip responded: —“Mr. Larry, you're going—to have—to go.”—Plaintiff responded: —“I'm not going anywhere—until I've completed my cash count—as required.”

405. On Thursday April 27, 2023,—at approximately 4:15 PM (or 1 hour—and 15 minutes into—the wait)—Plaintiff suggested—to Defendant Supervisor Clearance Phillip stating: —“go—and get my Cashier's Verification Deposit Slip from—the Safe—and I will perform my cash verification from—the register.”—Defendant Supervisor Clearance Phillip departed—to retrieve—Plaintiff's Cashier's Verification Deposit Slip from—the Office Safe.

406. On Thursday April 27, 2023, while waiting—for Defendant Supervisor Clarence Phillips's return from—for the Safe's Office with—Plaintiff's Cashier's Verification Deposit Slip,—a rather strange—and unexpected occurrence happened.—At approximately 4:20 PM—Defendant Retail Food Service Director Marylyn Ross came—to Plaintiff's register—to purchase—a green To-Go-Box—and stated: —“paying by cash.”—Plaintiff entered—the \$6.41 for—the cash payment.—Defendant's Retail Food Service Director Marylyn Ross pulled out—a \$50 bill—and asked Plaintiff: —“Can you handle that?”—Plaintiff replied—“no, because my cash drawer—is only \$50.00.”

407. On Thursday April 27, 2023,—Defendant Retail Food Service Director Marylyn Ross stated: —“I'll go—and tell Dupree about—the overage.”—Plaintiff responded: —“no, go—and get change—and bring it back to me.”—Defendant Retail Food Service Director Marylyn Ross left—Plaintiff's register—and returned—to hand Plaintiff \$7.00—and stated: —“you can just report—the change as—an overage.”—Plaintiff replied: —“no, go—and get change for—the \$1.00 bill so—that I can give you \$.59 cents back—and “not have an overage.”

408. On Thursday April 27, 2023, Defendant Retail Food Service Director Marylyn Ross left —Plaintiff's register —and came back —to Plaintiff's register with Defendant Supervisor Clarence Phillips, —who presented Plaintiff with two (2) rolls —of pennies @ \$.50 cents each equating —to \$1.00. —Plaintiff then completed —the \$6.41 cash transaction —and gave Defendant Retail Food Service Director Marylyn Ross \$.59 cents in change, —that she was due, —and Defendant Retail Food Service Director Marylyn Ross exited —the Todd Dining Hall without using —the just purchased green To-Go-Box.

409. Co-Defendant Location Manager Shenitha Dupree previously worked— as Defendant Retail Food Service Director Marylyn Ross's Starbucks Location Manager.—Plaintiff explored —the possibility —the strange —and unexpected occurrence —of Defendant Retail Food Service Director Marylyn Ross—and her \$50 Bill requested cash transaction as— a possible planned shenanigans on —the part —of Co-Defendant Location Manager Shenitha Dupree.

410. On Saturday April 29, 2023, Plaintiff via email —to myhr@aramark.com stated: ATTENTION: INVESTIGATOR DUSTIN states: — LARRY F. MURPHY, HR CASE #2267580, ADDITIONAL INFORMATION OF MANAGEMENT'S NEGLIGENCE/VIOLATIONS—The attachment management —is forwarded —for your review —and action.

411. On Saturday April 29, 2023, Plaintiff via email —to myhr@aramark.com: Reference: POTENTIAL WITNESSES stated: ATTENTION: INVESTIGATOR DUSTIN states: —I reviewed your email. — My response —is included in— my additional information sent— to MYHR on 4/29/2023. — I will take —the opportunity— to quote a Scripture— and ask a question here. —Pilate said to Him, — “What is truth?” —And when he had said this, — he went out again —to the Jews, —and said— to them, — “I find no fault in Him at all.” (John 18:36) The “truth can be hard to handle;” —the question is —“can you handle the truth?” The “findings of fact,” —the “truth is all I'm seeking.” —Please share this with— the other HR Managers reviewing my Complaint.

412. On Friday May 5, 2023, Plaintiff via email ***** —to dustin-marty@aramark.com —Reference: Potential Witnesses states: —This updated e-mail relates —to my Complaint on —the Violation —of Required 30-Minute Lunch Breaks —and 15-Minute Breaks.

413. I immediately noticed —that you did not mention —the witness Amber Moore —nor the witness Kalvieon Edwards, —and before I left work today, —neither Amber nor Kalvieon stated — that you had contacted them — and gotten their statements. —Therefore, have you therefore concluded —that there were no manual changes —that were made — to people timecards except —for them putting in —a time edit request —and once approved being added —to Kronos.

414. Also, concerning —the Ozzi Digital Token button, —
Management told you an outright lie:” —Debbie has always used — a different register, —the back register, —which was broken —for over nine (9) months or more, —and Amber Moore —and all other cashiers working —that broken register can —and will attest —to that. —However, you're chosen —to accept —the lie —and not perform —the required investigation —to gather —the truth. —That's a might poor decision.

415. Additionally, “every evening supervisor will attest to —the very same thing.” — I am profoundly appalled —and frustrated —that “you made your conclusions” — on management's word alone —without performing investigations —before drawing your conclusions.”

416. I would appreciate you doing your job —by performing proper — and adequate investigations —of my issues —that I consider very serious, — rather than rambling off conclusions — that have no merit once proper —and adequate investigations once performed will null — and void all their lies.

417. When speaking with Amber —and Klveon, I've asked them —to request written —and signed statements of —the accuracy —and validity— of their full statements, —so that nothing within their statements —is altered — and/or misinterpreted/misunderstood —by either of — the parties. —I'm also requesting — that you ensure that — the request —for written —and signed statements —are implemented —as requested.

418. On Wednesday May 10, 2023, Plaintiff met —with Co-Defendant Director of Operations Thomas Bedwardii, —and Co-Defendant HR Manager Ashley Hall in —the Todd Dining Hall's Sweetheart Conference Room in —an already conference meeting via telephone —with Co-Defendant Headquarters HR Manager Dustin Marty, —which the conference meeting became — a three (3) party conference call meeting via telephone.

419. Wednesday May 10, 2023, CO-Defendant Headquarters HR Manager Dustin Marty,—the self-assigned investigator—of Plaintiff's 101-page age discrimination, discrimination, harassment, and retaliation Complaint submitted on April 8, 2023,—with several subsequent submissions — informed Plaintiff —the investigation had been completed — and there were no findings —of Plaintiff's allegations.

420. Plaintiff stated: — “that's impossible, —no one I submitted as witnesses— and/or victims have been contacted concerning —the allegations.”— Co-Defendant Headquarters HR Manager Dustin Marty again replied: —“it's been completed —and there were no findings —of your allegations. ”

421. On Wednesday May 10, 2023, Co-Defendant's Local HR Manager Ashley Hall immediately —and aggressively stated: —“you will not be needed at —the Todd Ding Hall —the coming 2023, Fall Semester, —because only one (1) Cashier will be required —because of COVID. ” —Is there any other job you seek doing? —Plaintiff replied: —“yes, an Office Worker's position. ” —Co-Defendant's Local HR Manager Ashley Hall replied: —“no, you cannot do that one. ”

422. Co-Defendant's Local HR Manager Ashley Hall —never did say — why Plaintiff could not do that one (Office Worker), —because the Office Worker position —was— a job Plaintiff excelled in —and was second (2nd) —to none. —Plaintiff was involuntarily move out —of the Office Workers position —without good cause, —but rather malicious intent —because of Plaintiff's age, courage — and outspokenness.

423. On Wednesday May 10, 2023, Plaintiff in the three (3) party conference call meeting via telephone—was informed —by Co-Defendant HR Manager Ashley —to apply —for accommodations —that we would go from there. —Plaintiff has never had —to apply —for accommodations in —Plaintiff 10 years—of employment —with Defendant Aramark.

424. The Defendant Aramark Employee Handbook: Date Published-July 2022, Employee Conduct, page 30 states: —All complaints —and investigations made through a manager, myHR, —or the Employee Hot Line —by calling (877) 224-0411 —will be handled in— a confidential manner —to the fullest extent possible consistent —with applicable law. —However, employees must recognize —that certain disclosures may be necessary —to

conduct —a complete —and through investigation, —and to achieve —an appropriate solution.

425. Defendant Aramark investors —Co-Defendant HR Manager **Ashley Hall**, —Co-Defendant MYHR Manager **Dustin Marty**, —Co-Defendant MYHR Manager **Cody Short**, —and Co-Defendant MYHR Marketing Manager **Kristen Anderson**, —Co-Defendant MYHR Policy & Compliance Senior Manager **Lauren Arnold**, —and any others assigned in whole —or in part have miserably failed —to conduct —a complete —and through investigations, —of Plaintiff's Complaint issues —to achieve —an appropriate solution.

426. Plaintiff submits —that Co-Defendant MYHR Manager **Dustin Marty** —and Co-Defendant HR Manger **Ashley Hall**— conspired together —to not conduct —a complete —and through investigations, —of Plaintiff's Complaint issues —to achieve —an appropriate solution. Plaintiff further submits —that their actions were implemented —with malicious intent.

427. Plaintiff submits —that the Wednesday May 10, 2023, three (3) party conference call meeting via telephone meeting — with Co-Defendant Director of Operations **Thomas Bedwardii**, —and Co-Defendant HR Manager **Ashley Hall**—and Co-Defendant MYHR Manager **Dustin Marty** was —a “meeting” —of “retaliation against” Plaintiff, —who filed his 101-page Complaint —on April 9, 2023, —and strongly condemned Co-Defendant MYHR Manager **Dustin Marty** —on May 5, 2023, —for not doing his job.

428. The Defendant Aramark Employee Handbook: Date Published-July 2022, Employee Conduct, page 30 states: — “There will be no retaliation against employees—who make good faith complaints —to the Employee Hotline —and/or participate —in good faith in —an investigation — of such complaints.

429. As the direct result —of Co-Defendant MYHR Manager **Dustin Marty's** — and Co-Defendant HR Manager **Ashley Hall's** — “inappropriate conducts” —Co-Defendant Location Manager **Shenitha Dupree**, —and Co-Defendant Food Service Director **Hillary Gallagher**, —and Co-Defendant Director of Operations **Thomas Bedwardii**, —and Co-Defendant Residential District Director **Kelvin Tarukwasha**—were allowed —to continue their mistreatments —of Plaintiff without any fear —of repercussions.

430. As the direct result —of Co-Defendant MYHR Manager **Dustin**

Marty's — and Co-Defendant HR Manager Ashley Hall's — “inappropriate conducts” —Co- Defendant Location Manager Shenitha Dupree, —and Co-Defendant Food Service Director Hillary Gallagher, —and Co-Defendant Director of Operations Thomas Bedwardii, —and Co-Defendant Residential District Director Kelvin Tarukwasha—were allowed—threaten, intimidate, —or coerce employees from being cooperative —in anything mentioned —about investigations —for fear—of losing their jobs.

431. As the direct result —of Co-Defendant MYHR Manager Dustin Marty's — and Co-Defendant HR Manager Ashley Hall's — “inappropriate conducts” —Co- Defendant Location Manager Shenitha Dupree, —and Co-Defendant Food Service Director Hillary Gallagher, —and Co-Defendant Director of Operations Thomas Bedwardii, —and Co-Defendant Residential District Director Kelvin Tarukwasha—were allowed— to create —and to perpetuate —a toxic workplace —that's unfavorable—and unwelcoming— and very poor employees retention.

432. Sedgwick Leave Center —is a third (3rd) party Hotline administrator, —and not controlled —or managed —by Aramark, —and therefore has its own policies —and guidelines —for conducting its services—to Aramark employees to whom it's —the service provider. —As such, Aramark should control —and/or influence—the information requested — of an employee (Plaintiff) —to whom its Company —is providing services. 1

433. Tuesday October 17, 2023, Plaintiff via email —to Co-Defendant MYHR Policy & Compliance Senior Manager Lauren Arnold—at arnold-lauren@aramark.com —in response —to Co-Defendant MYHR Policy & Compliance Senior Manager Lauren Arnold's voice mail —of Monday October 16, 2023, stating the following:

434. According to the subject matter your name —is Lauren Arnold —and you were calling from —the Aramark MYHR team, —and you oversee accommodations for —the United States —and work —with MYHR Manager Cody —who I've been corresponding with; —and you understand —that I have some additional questions —and some request you understand — that I've been contacting Sedgwick about.

435. I understand— that you're hoping— that you can answer my questions —and that we can resolve— the accommodations portion —of my

questions. —I understand that you have some availability on Tuesday October 17, 2023, —and we can designate— a time —to convene —and discuss— the issue— of accommodations. —At the end of the subject matter, you stated that the best number to reach you is at (267) 519-1391, and that again your name —is Marin Arnold from —the Aramark MYHR accommodations team. —What is your correct name, —is it Lauren or Marin, I don't understand?

436. As the Aramark Accommodations' specialist —for the United States, —before convening— a meeting with you, —I need you —to email me a copy —of an Aramark Accommodations Application —and the existing Aramark policy governing —Request —for Leave of Absence (LOA), so —that we can discuss and resolve this matter adequately —and appropriately. [End of email]

437. On Tuesday October 17, 2023, Plaintiff via email —to Sedgwick at aramark601ops@sedgwickcms.com stating the following:

438. I was informed —by HR Manager Cody Short —that he submitted —the LOA —to Sedgwick —on July 27, 2023. —On October 8, 2023, I called Sedgwick —and spoke —with a Claims Specialist —and requested —that I be forward via email ongoing actions being taken —to get me back —to work — and she agreed —to both email —and provide my request —by mail.

439. On Thursday October 12, 2023, — I spoke directly— to ADA Claims Specialist Francis —who informed me that she would be resending — the email —to the correct email address murphy333lf@yahoo.com — immediately —and that I would be receiving it within two (2) hours, —which would have been before —12:00 PM Thursday October 12, 2023.

440. I called back —on Thursday October 12, 2023, —and Friday October 13, 2023, —requesting —the email be resent —to the correct email address —at murphy333lf@yahoo.com —and was informed —that my request would be passed on —to the ignitor —of the —email, — ADA Claims Specialist Mary Joe Enfield. —I did not receive —the email — on neither Thursday October 12, 2023, —nor Friday October 13, 2023.

441. On October 16, 2023, I called Sedgwick —and spoke —with ADA Claims Specialist Francis —and informed her —that I was very frustrated about her dishonesty —of not doing as —she had promised. — Francis then— responded informing me —that her system went down on — Thursday October

12, 2023, —and that— on Friday October 13, 2023, —that she was off work. —I informed her —that she could have called —and informed me so —that I would not be expecting —an email— that wasn't coming.

442. Francis informed me —that she was sending —the email —to murphy331f@yahoo.com —at approximately 7:48 am —that I would be receiving —the email with two (2), —which would have been about 9:48 am. —I never received —the email —and Francis made herself unavailable — and did not come to —the phone. —A message was sent —to Francis —to return my call —and she never did. —I need —the email sent— to me Immediately!" [End of email]

443. Saturday October 21, 2023, Plaintiff via email —to Co-Defendant MYHR Policy & Compliance Senior Manager Lauren Arnold—at arnold-lauren@aramark.com —Plaintiff's take from —the scheduled 1:00 PM called meeting—states the following:

444. My take from —the phone call for— a meeting that— was to begin at 1:00 PM, in— which I received— the call at 1:09 PM, —some 9 minutes after— the scheduled time was —that your lack of concern —in maintaining —the scheduled time of 1:00 PM, — I considered degrading —and disrespectful —to my being —and intelligence, —and that this was— a meeting not about my accommodations issue, —but rather about you —and your interest— in handling my opposition —to what was done —to me; —which frustrated— and discouraged me further.

445. Then, after hearing —that this call was —a call center conference call, —I knew that —there would be someone else other than yourself— in on— the call. —After thanking me —for receiving your call, —you informed me —that you were joined —by Cody Short's Manager Kristen —without providing— a last name. —You proceeded— by stating —that you were attempting— to see if you could resolve questions —that I had about —the LOA —that I had been placed on.

446. I immediately informed you —that all questions— and personal conclusions— I have had been presented in —my latest email —to you, —and you stated— that unfortunately, you haven't been able— to read— that email. —I was then further frustrated —and discourage —that you had not even taken —the time —to read my email before coming before me —to discuss my

concerns —about my accommodations issue, —which I found profoundly scornful— and disrespectful.

447. then immediately informed you —that I wasn't going —to discuss anything with you —without you reading my email —and answering —the questions I asked you in my email; —and I suggested ending —the call meeting until you had read my email. —You then immediately stated: — “let me pull it up right now.” —and I allowed you —to do that just —to see what your approach would be —after retrieving my email — for your personal viewing.

448. However, after you then asked me, what questions did I have —after having my email before your very eyes, —I knew —that this wasn't about me, —but rather about you —and your efforts —to rectify — a wrong committed in —the LOA processing.

449. I informed you —that Sedgwick had informed me —that Cody Short had submitted —the LOA —for me —to their system. —You immediately refuted that —and stated — that wasn't true, —and I immediately asked you, — “are you stating —that what Sedgwick stated —to me about Cody Short initiating —the LOA —for me —to their leave system was not true; — and you hesitated —and stated no, —that wasn't true.

450. Then you asked a question —that you should have already known —the answer: — “were you not informed on May 10, 2023, —that you were being placed on LOA? —Thanks for asking —the question! —My reply —to you was: — “how could I have been informed —that I was being placed on LOA —when I never requested LOA in —the beginning?”

451. Then you asked again: — “you weren't told that?” — I immediately replied: — “How could I have known that” — when I didn't even submit my Accommodations Substantiation Form —was not submitted —to Sedgwick until June 12, 2023? —And even then, that — was not —a LOA request, — but rather —an “Accommodations request.”

452. You then informed me —that Aramark had —that option —to place me on LOA. —I then asked you: — “are you telling me — that Aramark has —the right —to place me on LOA against my will, —an LOA Application/Request —that I never signed up for and — that was implemented against my will? —You then stated —that Aramark has —the right —to

implement this option; and I immediately stated: — “not against my will,” — and that's— a violation —of the law —and/or policy.”

453. You then stated: —I didn't know —that you weren't told —and aware —that you had been placed on LOA, and— that you would need —to look into that. You then stated —that Christien would like —to speak with me about — the allegations I've submitted. —I informed you— that I didn't want —to talk —to Kristen about any allegations I've submitted, —and that— the allegations needed —to be investigated in— a timely, proper, adequate —and impartial manner —so that —the racist white behind people can be exposed —and gotten rid of. —Therefore, I did not talk with Christen.

454. I asked— that you respond —to your findings —and resolve via email, —and you informed me— that it would take some time —because you had more important things scheduled. — What's more important than finding out —why I've been deprived of —a job —to support my family —for going on 6 months?

455. This is very frustrating, disgusting, —and provocative, —but I've maintained my moral —and professional temperament —or disposition against all —that this corrupt management has done against me. —Send me your findings —and plan of corrective actions. [End of email]

456. The LOA —that Defendant Aramark placed Plaintiff —against Plaintiff's will gave Defendant Aramark control over —Plaintiff's return —and non-return —to work, —because at the LOA's end— Defendant Aramark does not have —to provide Plaintiff a job. —Therefore, continuously denial —of Plaintiffs “accommodations within” —a “LOA” —is essentially denying Plaintiff —the “right” —to “work” —at Defendant Aramark while giving an appearance — that Plaintiff —is gainfully employed—or has gainful employment potential once —Defendant Aramark approves Plaintiff's accommodations locked up — in Plaintiff's unrequested —and “forced LOA” against Plaintiff's will.

457. Defendant Aramark strategically developed —a scheme —to terminate Plaintiff —by the weaponization —of the LOA process instead —of straight-out termination —to avoid Plaintiff's perceived —and more-than-likely “retaliation claim.” —Therefore, to avoid an easily proven retaliation claim— Defendant Aramark conspired —to implement — a “fraudulent” — or bogus LOA Request —to keep Plaintiff away from work — and ultimate let

Plaintiff go —because not being able —to have —a job —for Plaintiff.

458. Plaintiff submits Defendant Aramark created —and implemented —a constructive dismissal —or constructive discharge against Plaintiff; —and that Defendant Aramark wrongfully made working conditions —so intolerable —that when Plaintiff did quit, —that Defendant Aramark forced Plaintiff away from work —by fraudulently placing Plaintiff —to a prolonged 6-month LOA —that included continuous denied Accommodations —to prevent —Plaintiff from working —and maliciously causing financial hardship.

459. Plaintiff has provided overwhelming evidence —that Plaintiff was directly targeted —by Defendant Aramark —that clearly communicated —to Plaintiff —that Plaintiff's employment would be terminated imminently, and —that Plaintiff's working conditions had become intolerable.

460. Plaintiff's primary motivation —to keep Plaintiff —at work was —Plaintiff's courage, resiliency, — and relentless determination —to not allow anyone —to prevail in running Plaintiff away from Plaintiff's job, —that Plaintiff needed —to provide —the essentials —of food, clothing, —and shelter —for Plaintiff's wife; —and whatever came regardless —of levels —of difficulties Plaintiff encouraged himself —to endure.

461. From May 2022 through May 2023 Defendant Aramark poured out —an abundance —of wrath upon Plaintiff —that only God's mercy —and grace delivered Plaintiff —and strengthened Plaintiff —to being more than —a conqueror against everything brought against Plaintiff —to their wonder —and amazement.

462. What Plaintiff's enemies meant —for evil, —God meant —for good; —showing Himself strong on Plaintiff's behalf. —Defendant Aramark targeted Plaintiff —and after placing Plaintiff —on LOA against Plaintiff's will never intended —to bring Plaintiff back —to work —as clearly demonstrated —and evidenced throughout Plaintiff's Complaint —and as following:

463. On September 26, 2023, Tuesday morning, — Plaintiff talked —with Sedgwick ADA Job Accommodations Specialist Francis —who informed Plaintiff —that she had sent Defendant Location Manager Shenitha Dupree —the "updated/adjusted Job Accommodations requesting" the following: —(1) frequent bathroom breaks, —(2) sit up —to 8 hours, —and (3) intermittent opportunities.

464. On September 26, 2023, Plaintiff informed Co-Defendant MYHR Manager Cody Short —that Sedgwick ADA Job Accommodations Specialist Francis —on September 15, 2023, sent —an “updated/adjusted Job Accommodations request” —to Co-Defendant Location Manager Shenitha Dupree stating the following: —(1) frequent bathroom breaks, —(2) sit up —to 8 hours, —and (3) intermittent opportunities;— and if no response —from Co-Defendant Location Manager Shenitha Dupree —that she sent it again —on September 20, 2023, —and that she would send it again today —on September 26, 2023, —and if no response —from Defendant Location Manager Shenitha Dupree —that she would send it MYHR —at (844) 441-6947.

465. On September 28, 2023, Plaintiff via email —to MYHR requested —a copy of —Plaintiff’s Official Personnel File (OPF) —from September 13, 2023, to date —of September 28, 2023, —to include —but not limited to: —(1) Performance Appraisal Reviews (Front Line Employee Assessment Forms), —(2) Encore Recognition Awards, —(3) Employment Action/Disciplinary Notice Forms, (3) Leave of Absence (LOA) Requested (including the signature —or signed LOA sent —to Sedgwick —to implement —the current LOA in existence).

466. On October 3, 2023, Plaintiff via phone call —to Sedgwick ADA Job Accommodations Specialist Francis —informed Plaintiff —that Defendant MY HR Aramark —informed Sedgwick that —they would be calling Plaintiff, — and Francis also informed Plaintiff —that her supervisor would be meeting —with MYHR Aramark —on today (October 3, 2023) and —that she would get back —with Plaintiff on tomorrow (October 4, 2023).

467. On October 3, 2023, —via phone call Sedgwick ADA Job Accommodations Specialist Francis —also informed Plaintiff —that she —and her supervisor —were working desperately —to get Plaintiff back —to work and —that it has been very difficult doing so.

468. Sedgwick ADA Job Accommodations Specialist Francis —also suggested —that she —and her supervisor —are suggesting —to Plaintiff —to submit —an “updated/adjusted Job Accommodations request” —to Co-Defendant Location Manager Shenitha Dupree —that Plaintiff only needed sitting —and 20 minutes —of breaks —at no specific time periods —for bathroom breaks —and asked Plaintiff “if it was alright” —with Plaintiff, — and Plaintiff replied yes, —it was alright if” —that would just get Plaintiff back

—to work. — Finally, Francis informed Plaintiff —that she was sending— the updated/adjusted Job Accommodations request right now!

469. To Plaintiff —Defendant Aramark’s denial mode —for any form— of “updated/adjusted Job Accommodations request” —had become permanently set —on cruise control —and that “whatever” — “updated/adjusted Job Accommodations request submitted” —by Sedgwick ADA Job Accommodations Specialist Francis—was “dead on arrival.”

470. On October 11, 2023, —at approximately 3:05 PM Plaintiff received —a phone call— from Co-Defendant MYHR Manager Cody Short — who informed Plaintiff—that Co-Defendant HR Manager Ashley Hall —was there physically present —with him, —and that he understood —that Plaintiff had been calling Sedgwick about Plaintiff’s accommodations—and that Co-Defendant MYHR Manager Cody Short —and Co-Defendant HR Manager Ashley Hall—had called —to clarify —to Plaintiff what was happening.

471. On October 11, 2023, —Co-Defendant HR Manager Ashley Hall— could be heard—by Plaintiff chuckling —as if she —was scorning —the call — with Plaintiff —and Plaintiff immediately asked —Co-Defendant HR Manager Ashley Hall— “what are you laughing about?” — “What’s happening —to me isn’t funny.” — Co-Defendant HR Manager Ashley Hall—the “said I’m sorry,” — “I have a cold.” — Plaintiff —to Co-Defendant HR Manager Ashley Hall’s asinine excuse —with frustration immediately responded: — “that’s a lie!”

472. On October 11, 2023, —at approximately 3:05 PM— Plaintiff informed —Co-Defendant MYHR Manager Cody Short —that Plaintiff was informed —that Co-Defendant MYHR Manager Cody Short was—the MYHR manager —who responded —to Plaintiff’s “Job Accommodations request signed” —by Plaintiff’s Physical Medical Rehabilitation Doctor, Natalia Jollieoff —and —not Plaintiff’s primary physician.

473. On October 11, 2023, —Plaintiff also informed —Co-Defendant MYHR Manager Cody Short —that Plaintiff has never been diagnosed with —a serious health condition —that prohibited Plaintiff from performing his required duties.

474. On October 11, 2023, —Plaintiff also informed —Co-Defendant MYHR Manager Cody Short —that Plaintiff had never requested — an LOA — in Plaintiff’s ten (10) years as —a Defendant Aramark employee —nor has ever

had need —to request —an LOA, —and that there's no signed LOA Request
—on Defendant Aramark's official records —by Plaintiff—for implementing —
the invalid LOA request.

475. Co-Defendant MYHR Manager Cody Short stated to Plaintiff—that Defendant Aramark has—the option —to do so; —and Plaintiff replied: —“not against” Plaintiff's free will, —and especially —and particularly when —the LOA is— of no benefit to Plaintiff.

476. Plaintiff submits that —the fraudulent —or bogus LOA was created —and submitted —for devious reasons. —The LOA submitted —by Co-Defendant MYHR Manager Cody Short was submitted— to Sedgwick on July 27, 2023, —which constitutes forty-four (44) —days after Plaintiff's June 12, 2023, Accommodations Request submission —to Sedgwick.

477. Additionally, Defendant MYHR Manager Cody Short backdate —the LOA —that he himself submitted —to Sedgwick —on July 27, 2023, —to begin May 10, 2023, —and to end November 11, 2023, —for continuous running 30-day periods —that total six (6) consecutive months —that prohibited Plaintiff —from working —at Defendant Aramark without Defendant Aramark's approval —which Defendant Aramark never ever intended happening again, —which was totally underserved malicious persecution.

478. Plaintiff's states to —this Honorable Court —that primarily because— of Co-Defendant HR Manger Ashley Hall's miserable failure —to perform her required investigative duties in— a thorough, fair, impartial, —and proper manner; —and because Co-Defendant MYHR Manager Dustin Marty's, —and Co-Defendant MYHR Manger Cody Short's miserable failures— of ensuring HR Manger Ashley Hall's investigations —as well—as their own investigations —of Plaintiff's discrimination, harassment, —and retaliation Complaint — were performed in — a thorough, fair, impartial, —and proper manner, —but rather premeditatively, intentionally, willfully, purposefully, —and deliberately chose —to conspire together—and to coverup all discrimination —and/or laws —and policies violated —by a profoundly corrupt Todd Management —is the primary cause —Plaintiff appears before this Honorable Court.

479. Moreover, Defendant Aramark's wrongful premeditated, intentional, willful, purposeful, —and deliberate conduct constitutes blatant disrespectful defiance —of laws —and policies —and involves such willfulness —and maliciousness —that it rises to the level of —an independent tort —or torts, —

thus entitling the Plaintiff—to recover punitive damages—from Defendant Aramark.

480. Given the **deplorable, reprehensive, — or disgraceful conduct** of Defendant **Aramark**, — and the **pecuniary ability or financial worth** —of Defendant **Aramark**, then **\$25,000,000** is well within —the amount reasonably necessary —for punishment —of wrongdoing, deterring —the Defendant Aramark —from similar conduct, —and making —an —of Defendant Aramark so others —may be deterred.

CLAIMS FOR RELIEF

A. INTENTIONAL INFILCTION OF EMOTIONAL UPSET

481. The Defendant **Aramark's unlawful conduct**, as previously described in this Complaint was **known** to Defendant Aramark to likely or **most likely** produce emotional stress, and it did —with **maliciously intend**— to Plaintiff.

482. The Defendant **Aramark's unlawful conduct**—as a **direct and proximate result** —of Plaintiff and Plaintiff's wife, Linda L. Murphy at **ages 75 and 71 respectively**, —and both Plaintiff's **underlying illnesses** of high blood pressure, and diabetes, —and Plaintiff's wife Linda L. Murphy's **underlying illnesses** of high blood pressure and neuropathy—and a **2021 surgery cancel** survivor —to **likely**— or **most likely** suffer emotional stress, and they did —and are **still recovering**, —and Defendant Aramark's **infliction** —of **emotional stress** —and **damages** —to Plaintiff —and Plaintiff's wife, Linda L. Murphy should equate to **at least \$25,000,000**.

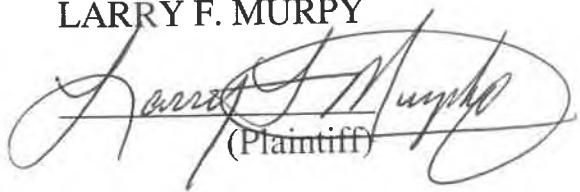
B. FURTHER RELIEF

483. The Plaintiff further prays that Defendant **Aramark** be required to pay the costs of this civil lawsuit action and reasonable attorney fees in the amount of **\$30,000.**

484. The Plaintiff further prays for **such other and further relief** which the Plaintiff and Plaintiff's wife, Linda L. Murphy **may be justly entitled**.

Respectfully submitted this, the 31st day of October 2023.

LARRY F. MURPY



A handwritten signature in black ink, appearing to read "Larry F. Murpy". Below the signature, the word "(Plaintiff)" is written in a smaller, printed-style font.

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